



# *The Journal* OF THE *House of Representatives*

Number 21

Wednesday, March 31, 2010

The House was called to order by the Speaker at 12:00 p.m.

## Prayer

The following prayer was offered by Dr. Vincent Kolb of South Jacksonville Presbyterian Church, upon invitation of Rep. McBurney:

Holy and ever-living God, compassionate and merciful, we, Your servants, are listening. We come before You today in a time of great anxiety and fear, as recession continues to shackle us, brave soldiers sacrifice on the fields of war, and families wonder how they will pay their bills, educate their children, and provide for their futures. We cast all of our cares upon You, O God, because You care for us. You alone can renew our strength, that we may run and not be weary, that we may walk and not faint.

God of power and might, in this House of Representatives, give us the courage to dream new dreams and to see new possibilities. Though budgets may be constrained, Your gifts are overflowing. With abiding faith and calm assurance, we invoke Your presence on these proceedings. Might a few drops of Your favor fall upon us today, giving these elected representatives of Your people courage and wisdom?

Giver of immortal gladness, fill us with this new life today. We, Your humble people, beseech Thee. And in all Your names, we pray. Amen.

The following members were recorded present:

Session Vote Sequence: 631

Speaker Cretul in the Chair.

Abruzzo	Culp	Hays	Nelson
Adams	Domino	Heller	O'Toole
Adkins	Dorworth	Holder	Pafford
Anderson	Drake	Homan	Patronis
Bembry	Eisnagle	Hooper	Patterson
Bernard	Evers	Hudson	Plakon
Bogdanoff	Fetterman	Hukill	Planas
Bovo	Fitzgerald	Jenne	Poppell
Boyd	Flores	Jones	Porth
Brandenburg	Ford	Kelly	Precourt
Braynon	Fresen	Kiar	Proctor
Bullard	Frishe	Kreegel	Rader
Burgin	Galvano	Kriseman	Ray
Bush	Garcia	Legg	Reagan
Cannon	Gibbons	Llorente	Reed
Carroll	Gibson	Long	Rehwinkel Vasilinda
Chestnut	Glorioso	Lopez-Cantera	Renuart
Clarke-Reed	Gonzalez	Mayfield	Rivera
Cretul	Grady	McBurney	Robaina
Crisafulli	Grimsley	McKeel	Roberson, K.
Cruz	Hasner	Murzin	Roberson, Y.

Rogers	Schwartz	Thompson, G.	Weatherford
Rouson	Skidmore	Thompson, N.	Weinstein
Sachs	Snyder	Thurston	Williams, A.
Sands	Soto	Tobia	Williams, T.
Saunders	Stargel	Troutman	Wood
Schenck	Steinberg	Van Zant	Workman
Schultz	Taylor	Waldman	Zapata

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

## Pledge

The members, led by the following, pledged allegiance to the Flag: Esteban Bovo of Miami at the invitation of his father, Rep. Bovo; Joel Freeman of Newberry at the invitation of the Speaker pro tempore; Michael Galvano and William Galvano of Bradenton at the invitation of their father, Rep. Galvano; Madyson Mahler of Tallahassee at the invitation of the Speaker pro tempore; Alexis Moran of Tarpon Springs at the invitation of Rep. Murzin; Ben Murzin of Cantonment at the invitation of his father, Rep. Murzin; Allison Overholt of Tallahassee at the invitation of Rep. Coley; and Matthew Zirkle of Muncie, Indiana at the invitation of the Speaker.

## Correction of the *Journal*

The *Journal* of March 24 was corrected and approved as corrected.

The *Journal* of March 26 was corrected and approved as follows: On page 407, column 1, line 19 from the bottom, after "laid on the table." insert the following: Refer to CS for HB 1073 & HB 81. Under the rule, HB 81 was laid on the table. Refer to CS for HB 1073 & HB 81.

The *Journals* of March 29 and March 30 were corrected and approved as corrected.

## Reports of Standing Councils and Committees

### Reports of the Rules & Calendar Council

*The Honorable Larry Cretul*  
*Speaker, House of Representatives*

March 23, 2010

*Dear Mr. Speaker:*

Your Rules & Calendar Council herewith submits the Special Order for Wednesday, March 31, 2010. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

HB 5001 - Full Appropriations Council on Education & Economic Development, Rivera  
Appropriations

HB 5003 - Full Appropriations Council on Education & Economic Development, Rivera  
Implementing the 2010-2011 General Appropriations Act

CS/HB 5101 - Full Appropriations Council on Education & Economic Development, PreK-12 Appropriations Committee, & others  
Prekindergarten through Grade 12 Education Funding

HB 5201 - State Universities & Private Colleges Appropriations Committee, Proctor  
Postsecondary Education Funding

HB 5301 - Health Care Appropriations Committee, Grimsley  
Medicaid Services

HB 5303 - Health Care Appropriations Committee, Grimsley  
Agency for Persons with Disabilities

HB 5305 - Health Care Appropriations Committee, Grimsley  
Child Welfare

HB 5307 - Health Care Appropriations Committee, Grimsley  
Mental Health and Substance Abuse

HB 5309 - Health Care Appropriations Committee, Grimsley  
Comprehensive Statewide Tobacco Education and Use Prevention Program

HB 5311 - Health Care Appropriations Committee, Grimsley  
Department of Health

CS/HB 5401 - Full Appropriations Council on Education & Economic Development, Criminal & Civil Justice Appropriations Committee, & others  
Clerks of the Court

HB 5403 - Criminal & Civil Justice Appropriations Committee, Adams  
Trust Funds

HB 5501 - Transportation & Economic Development Appropriations Committee, Glorioso  
Department of Highway Safety and Motor Vehicles

CS/HB 5503 - Full Appropriations Council on Education & Economic Development, Transportation & Economic Development Appropriations Committee, & others  
Transportation Revenue

HB 5505 - Transportation & Economic Development Appropriations Committee, Glorioso  
Supplemental Corporate Fee

HB 5601 - Government Operations Appropriations Committee, Hays  
Department of Revenue Maps and Photographs

HB 5603 - Government Operations Appropriations Committee, Hays  
Department of Financial Services

HB 5605 - Government Operations Appropriations Committee, Hays  
Public Employees Relations Commission

HB 5607 - Government Operations Appropriations Committee, Hays  
Retirement

CS/HB 5611 - Full Appropriations Council on Education & Economic Development, Government Operations Appropriations Committee, &

others  
Department of Management Services

HB 5701 - Full Appropriations Council on Education & Economic Development, Rivera  
Health Insurance Subsidies

HB 5703 - Full Appropriations Council on Education & Economic Development, Rivera  
Retirement

HB 5705 - Full Appropriations Council on Education & Economic Development, Rivera  
State Employees

HB 5707 - Full Appropriations Council on Education & Economic Development, Reagan  
Florida Savings Fund

HB 5709 - Full Appropriations Council on Education & Economic Development, Weatherford, & others  
Joint Legislative Organizations

HCR 5711 - Full Appropriations Council on Education & Economic Development, Weatherford, & others  
Joint Legislative Organizations

HB 5713 - Full Appropriations Council on Education & Economic Development, Rivera  
Agency Travel

CS/HB 5801 - Full Appropriations Council on Education & Economic Development, Finance & Tax Council, & others  
Taxation

CS/SB 1644 - Transportation and Economic Development Appropriations, Fasano  
Trust Funds/Department of State [WPSC]

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,  
*Bill Galvano*, Chair  
Rules & Calendar Council

On motion by Rep. Galvano, the above report was adopted.

## Special Orders

**HB 5001**—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 2010, and ending June 30, 2011, to pay salaries, and other expenses, capital outlay – buildings, and other improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—was read the second time by title.

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The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 632].

**Prefile Amendment 1** [Amendment Bar Code: 990023] was withdrawn.

Representative(s) Saunders offered the following:

(Amendment Bar Code: 990022)

**Profile Amendment 2—**

In Section: 04 On Page: 122 Specific Appropriation: 793			
	DELETE	INSERT	
JUSTICE ADMINISTRATION			
Program: Justice Administrative			
Commission			
Legal Representation			
In Section 04 On Page 122			
793	Special Categories		
	Public Defender Due Process Costs		
	From General Revenue Fund	19,645,299	19,570,316
In Specific Appropriation 793, DELETE the following:			
16th Judicial Circuit.....		185,446	
16th Judicial Circuit.....		74,983	
and insert the following related to the due process allocation:			
16th Judicial Circuit.....		110,463	
STATE COURT SYSTEM			
Program: Trial Courts			
Court Operations - Circuit Courts			
In Section 07 On Page 365			
3238	Salaries And Benefits		
	From General Revenue Fund	58,907,157	58,982,140

Rep. Saunders moved the adoption of the amendment. Subsequently, **Profile Amendment 2** was withdrawn.

Representative(s) Poppell offered the following:

(Amendment Bar Code: 990024)

**Profile Amendment 3—**

In Section: 05 On Page: 217 Specific Appropriation: 1711			
	DELETE	INSERT	
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			
Program: District Offices			
Water Resource Protection And Restoration			
In Section 05 On Page 217			
1711	Expenses		
	From Ecosystem Management And	1,633,735	1,583,735
	Restoration Trust Fund		
AGRICULTURE AND CONSUMER SERVICES,			
DEPARTMENT OF, AND COMMISSIONER OF			
AGRICULTURE			
Program: Office Of The Commissioner And			
Administration			
Agricultural Water Policy Coordination			
In Section 05 On Page 187			
1389	Special Categories		
	Best Management Practices - Cost Share		
	From General Inspection Trust Fund	5,926,696	5,976,696

Following Specific Appropriation 1389, INSERT:

Of the funds in Specific Appropriation 1389, \$50,000 in nonrecurring funds is provided from the General Inspection Trust Fund for the Association of Florida Conservation Districts contract for support services to all Florida's Soil and Water Conservation Districts.

Rep. Poppell moved the adoption of the amendment, which was adopted.

Representative(s) Glorioso offered the following:

(Amendment Bar Code: 990026)

**Profile Amendment 4—**

In Section: 05 On Page: 215 Specific Appropriation: 1692			
	DELETE	INSERT	
ENVIRONMENTAL PROTECTION, DEPARTMENT OF			
Program: State Lands			
Land Administration			
In Section 05 On Page 215			
1692	Grants And Aids To Local Governments And		
	Nonstate Entities - Fixed Capital Outlay		
	Aid To Water Management Districts-Land		
	Acquisition		
	From Water Management Lands Trust	18,300,000	17,300,000
	Fund		
1692A	Grants And Aids To Local Governments And		
	Nonstate Entities - Fixed Capital Outlay		
	West Central Florida Water Restoration		
	Action Plan		
	From Water Management Lands Trust		1,000,000
	Fund		

Following Specific Appropriation 1692A, INSERT:

Funds in Specific Appropriation 1692A are provided to the Southwest Florida Water Management District to implement environmental restoration and water resource sustainability projects and programs as described in the West Central Florida Water Restoration Action Plan. Funds are contingent upon matching dollars as follows: a) one-third of the project cost from the Southwest Florida Water Management District; and b) one-third of the project cost from project partners.

Rep. Glorioso moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 5003**—A bill to be entitled An act relating to implementing the 2010-2011 General Appropriations Act; providing legislative intent; incorporating by reference certain calculations of the Florida Education Finance Program for the 2010-2011 fiscal year; amending s. 216.292, F.S.; authorizing the transfer of funds, upon certain approval, for fixed capital outlay from the Survey Recommended Needs-Public Schools appropriation category to the Maintenance, Repair, Renovation and Remodeling appropriation category; authorizing the Department of Corrections and the Department of Juvenile Justice to make certain expenditures to defray costs incurred by a municipality or county as a result of opening or operating a facility under authority of the respective department; amending s. 216.262, F.S.; providing for additional positions to operate additional prison bed capacity under certain circumstances; authorizing the Department of Legal Affairs to transfer certain funds to pay salaries and benefits; amending s. 932.7055, F.S.; delaying the expiration of provisions authorizing a municipality to expend funds from its special law enforcement trust fund to reimburse the municipality's general fund; amending s. 394.908, F.S.; providing allocation requirements for specified funds appropriated for forensic mental health services; requiring that funds appropriated through the Community-Based Medicaid Administrative Claiming Program be allocated proportionately to contributed provider earnings; amending s. 215.5602, F.S.; suspending for the 2010-2011 fiscal year the reservation of a portion of certain funds in the Health Care Trust Fund for certain research purposes; extending the expiration date of the James and Esther King Biomedical Research Program; amending s. 381.992, F.S.; deleting an obsolete authorization of funding for the William G. "Bill" Bankhead, Jr., and David Coley Cancer Research Program; extending the expiration date of the program; prohibiting any state agency from adopting or implementing a rule or policy mandating or establishing new nitrogen-reduction limits under certain circumstances; requiring the Florida Catastrophic Storm Risk Management Center at Florida State University to conduct an analysis; amending s. 218.12, F.S.; requiring that the value of assessments reduced pursuant to s. 4(d)(8)a. of Art. VII of the State Constitution include only the reduction in taxable value for homesteads established in the preceding year; reenacting s. 255.518(1)(b), F.S., relating to payment of obligations during the construction of any facility financed by such obligations; amending s. 255.503, F.S.; delaying the expiration of provisions relating to the Florida Facilities Pool; amending s. 253.034, F.S.;

authorizing the deposit of funds derived from the sale of property by the Department of Citrus into the Citrus Advertising Trust Fund; amending s. 375.041, F.S.; authorizing transfer of moneys in the Land Acquisition Trust Fund to the Water Quality Assurance Trust Fund for the Total Maximum Daily Loads Program, the Drinking Water Facility Construction-State Revolving Loan Fund, and the Wastewater Facility Treatment Construction-State Revolving Loan Fund as provided in the General Appropriations Act; amending s. 373.59, F.S.; providing for the allocation of moneys from the Water Management Lands Trust Fund for certain purposes; amending s. 376.3071, F.S.; delaying the repeal of provisions relating to funding from the Inland Protection Trust Fund for site restoration; amending s. 570.20, F.S.; delaying the expiration of provisions authorizing moneys in the General Inspection Trust Fund to be appropriated for certain programs operated by the Department of Agriculture and Consumer Services; amending s. 403.7095, F.S.; requiring that the Department of Environmental Protection award a specified amount in grants equally to certain counties for waste tire and litter prevention, recycling education, and general solid waste programs; authorizing the Department of Agriculture and Consumer Services to extend, revise, and renew current contracts or agreements created or entered into for the purpose of promotion of agriculture; amending s. 339.135, F.S.; providing for use of transportation revenues; requiring that the Department of Transportation transfer funds to the Office of Tourism, Trade, and Economic Development for the purpose of funding transportation-related needs of economic development projects; providing that funds appropriated from the Economic Development Transportation Trust Fund may be used to attract new space business to the state and for other specified needs for the development of aviation and aerospace operations; amending s. 216.292, F.S.; permitting the Legislative Budget Commission to review and approve recommendations by the Governor for fixed capital outlay projects funded by grants awarded from the American Recovery and Reinvestment Act of 2009 or by any other federal economic stimulus grant funding received; authorizing the Executive Office of the Governor to transfer funds appropriated for the American Recovery and Reinvestment Act of 2009 in traditional appropriation categories in the General Appropriations Act to appropriation categories established for the specific purpose of tracking funds appropriated for the act; reenacting s. 288.1254(4)(c) and (d), F.S., relating to the entertainment industry financial incentive program, to continue the amount of incentive funding to be appropriated in any fiscal year for the independent Florida filmmaker queue and the digital media projects queue; amending s. 339.08, F.S.; delaying the expiration of provisions relating to the use of moneys in the State Transportation Trust Fund for certain administrative expenses; authorizing the transfer of funds from the State Transportation Trust Fund to the General Revenue Fund under certain circumstances; amending s. 445.009, F.S.; providing that a participant in an adult or youth work experience activity under ch. 445, F.S., is an employee of the state for purposes of workers' compensation coverage; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning amounts paid for risk management premiums and for purposes of aligning amounts paid for human resource management services; authorizing the Executive Office of the Governor to transfer funds between departments for purposes of aligning the budget authority granted to each agency with the reductions in employee compensation; authorizing the heads of agencies to terminate staff and make personnel and salary adjustments and reductions to maximize efficiency of agency operations; amending s. 110.123, F.S.; providing for the state's monthly contribution for employees under the state group insurance program; amending s. 112.24, F.S.; providing conditions on the assignment of an employee of a state agency without reimbursement from the receiving agency; reenacting s. 215.32(2)(b), F.S., relating to the source and use of certain trust funds in order to implement the transfer of moneys in the General Revenue Fund from trust funds in the 2010-2011 General Appropriations Act; providing for the authorization and issuance of new debt; limiting the use of travel funds to activities that are critical to an agency's mission; providing exceptions; providing for future expiration of various provisions; providing for reversion of statutory text of certain provisions; providing for the effect of a veto of one or more specific appropriations or proviso to which implementing language refers; providing for the continued operation of certain provisions notwithstanding a future

repeal or expiration provided by the act; providing for severability; providing effective dates.

—was read the second time by title.

Representative Poppell offered the following:

(Amendment Bar Code: 098803)

**Amendment 1**—Remove lines 459-460 and insert:

Revenue Fund; ~~and~~

(c) For the 2010-2011 fiscal year only, moneys are authorized to be transferred to the General Inspection Trust Fund in the Department of Agriculture and Consumer Services for the Soil and Water conservation Districts; and

(d)(e) The remaining funds to be distributed equally between

Rep. Poppell moved the adoption of the amendment.

Representative Poppell offered the following:

(Amendment Bar Code: 622683)

**Substitute Amendment 1**—Remove lines 443-464 and insert:

Section 20. In order to implement Specific Appropriations 1389 and 1692 of the 2010-2011 General Appropriations Act, subsection (12) of section 373.59, Florida Statutes, is amended to read:

373.59 Water Management Lands Trust Fund.—

(12)(a) Notwithstanding the provisions of subsection (8), and for the 2010-2011 2009-2010 fiscal year only, the moneys from the Water Management Lands Trust Fund shall be allocated as follows:

1.(a) An amount necessary to pay debt service on bonds issued before February 1, 2009, by the South Florida Water Management District and the St. Johns River Water Management District, which are secured by revenues provided pursuant to this section, or to fund debt service reserve funds, rebate obligations, or other amounts payable with respect to such bonds;

2.(b) Eight million dollars to be transferred to the General Revenue Fund; and

3.(c) The remaining funds to be distributed equally between the Suwannee River Water Management District and the Northwest Florida Water Management District.

(b) Notwithstanding paragraph (a), and for the 2010-2011 fiscal year only, the sum of \$50,000 from the Water Management Lands Trust Fund shall be transferred to the General Inspection Trust Fund in the Department of Agriculture and Consumer Services for the soil and water conservation districts for support services.

This subsection expires July 1, 2011 2010.

Rep. Poppell moved the adoption of the substitute amendment, which was adopted.

Representative Glorioso offered the following:

(Amendment Bar Code: 373165)

**Amendment 2 (with directory amendment)**—Remove lines 459-464 and insert:

Revenue Fund; ~~and~~

(c) One million dollars for implementation of environmental restoration and water resource sustainability projects and programs as described in the West Central Florida Water Restoration Action Plan; and

(d)(e) The remaining funds to be distributed equally between the Suwannee River Water Management District and the Northwest Florida Water Management District.

This subsection expires July 1, 2011 2010.

(13) Notwithstanding subsection (1), for fiscal year 2010-2011 only, moneys in the Water Management Lands Trust Fund may be used for implementation of environmental restoration and water resource sustainability projects and programs as described in the West Central Florida Water Restoration Action Plan. This subsection expires July 1, 2011.

#### DIRECTORY AMENDMENT

Remove lines 443-445 and insert:

Section 20. In order to implement Specific Appropriation 1692 of the 2010-2011 General Appropriations Act, subsection (12) of section 373.59, Florida Statutes, is amended, and subsection (13) is added to that section, to read:

Rep. Glorioso moved the adoption of the amendment, which was adopted.

Representative Murzin offered the following:

(Amendment Bar Code: 396355)

**Amendment 3 (with title amendment)**—Between lines 618 and 619, insert:

Section 26. In order to implement Specific Appropriation 2219 of the 2010-2011 General Appropriations Act, and notwithstanding the expiration date contained in section 1 of chapter 2010-1, Laws of Florida, operating retroactive to February 27, 2010, section 443.1117, Florida Statutes, as amended by section 1 of chapter 2010-1, Laws of Florida, is revived, reenacted, and amended to read:

443.1117 Temporary extended benefits.—

(1) **APPLICABILITY OF EXTENDED BENEFITS STATUTE.**—Except when the result is inconsistent with the other provisions of this section, the provisions of s. 443.1115 (2), (3), (4), (6), and (7) apply to all claims covered by this section.

(2) **DEFINITIONS.**—For the purposes of this section, the term:

(a) "Regular benefits" and "extended benefits" have the same meaning as in s. 443.1115.

(b) "Eligibility period" means the period consisting of the weeks in an individual's benefit year or emergency benefit period which begin in an extended benefit period and, if the benefit year or emergency benefit period ends within that extended benefit period, any subsequent weeks beginning in that period.

(c) "Emergency benefits" means Emergency Unemployment Compensation paid pursuant to Pub. L. No. 110-252, Pub. L. No. 110-449, Pub. L. No. 111-5, Pub. L. No. 111-92, ~~and~~ Pub. L. No. 111-118, and Pub. L. No. 111-144.

(d) "Extended benefit period" means a period that:

1. Begins with the third week after a week for which there is a state "on" indicator; and

2. Ends with any of the following weeks, whichever occurs later:

a. The third week after the first week for which there is a state "off" indicator;

b. The 13th consecutive week of that period.

However, an extended benefit period may not begin by reason of a state "on" indicator before the 14th week after the end of a prior extended benefit period that was in effect for this state.

(e) "Emergency benefit period" means the period during which an individual receives emergency benefits as defined in paragraph (c).

(f) "Exhaustee" means an individual who, for any week of unemployment in her or his eligibility period:

1. Has received, before that week, all of the regular benefits and emergency benefits, if any, available under this chapter or any other law, including dependents' allowances and benefits payable to federal civilian employees and ex-servicemembers under 5 U.S.C. ss. 8501-8525, in the current benefit year or emergency benefit period that includes that week. For the purposes of this subparagraph, an individual has received all of the regular benefits and emergency benefits, if any, available although, as a result of a pending appeal for wages paid for insured work which were not considered

in the original monetary determination in the benefit year, she or he may subsequently be determined to be entitled to added regular benefits;

2. Had a benefit year which expired before that week, and was paid no, or insufficient, wages for insured work on the basis of which she or he could establish a new benefit year that includes that week; and

3.a. Has no right to unemployment benefits or allowances under the Railroad Unemployment Insurance Act or other federal laws as specified in regulations issued by the United States Secretary of Labor; and

b. Has not received and is not seeking unemployment benefits under the unemployment compensation law of Canada; but if an individual is seeking those benefits and the appropriate agency finally determines that she or he is not entitled to benefits under that law, she or he is considered an exhaustee.

(g) "State 'on' indicator" means, with respect to weeks of unemployment beginning on or after February 1, 2009, and ending on or before March 13, 2010 ~~January 30, 2010~~, the occurrence of a week in which the average total unemployment rate, seasonally adjusted, as determined by the United States Secretary of Labor, for the period consisting of the most recent 3 months for which data for all states are published by the United States Department of Labor:

1. Equals or exceeds 110 percent of the average of those rates for the corresponding 3-month period ending in each of the preceding 2 calendar years; and

2. Equals or exceeds 6.5 percent.

(h) "High unemployment period" means, with respect to weeks of unemployment beginning on or after February 1, 2009, and ending on or before March 13, 2010 ~~January 30, 2010~~, any week in which the average total unemployment rate, seasonally adjusted, as determined by the United States Secretary of Labor, for the period consisting of the most recent 3 months for which data for all states are published by the United States Department of Labor:

1. Equals or exceeds 110 percent of the average of those rates for the corresponding 3-month period ending in each of the preceding 2 calendar years; and

2. Equals or exceeds 8 percent.

(i) "State 'off' indicator" means the occurrence of a week in which there is no state "on" indicator or which does not constitute a high unemployment period.

(3) **TOTAL EXTENDED BENEFIT AMOUNT.**—Except as provided in subsection (4):

(a) For any week for which there is an "on" indicator pursuant to paragraph (2)(g), the total extended benefit amount payable to an eligible individual for her or his applicable benefit year is the lesser of:

1. Fifty percent of the total regular benefits payable under this chapter in the applicable benefit year; or

2. Thirteen times the weekly benefit amount payable under this chapter for a week of total unemployment in the applicable benefit year.

(b) For any high unemployment period as defined in paragraph (2)(h), the total extended benefit amount payable to an eligible individual for her or his applicable benefit year is the lesser of:

1. Eighty percent of the total regular benefits payable under this chapter in the applicable benefit year; or

2. Twenty times the weekly benefit amount payable under this chapter for a week of total unemployment in the applicable benefit year.

(4) **EFFECT ON TRADE READJUSTMENT.**—Notwithstanding any other provision of this chapter, if the benefit year of an individual ends within an extended benefit period, the number of weeks of extended benefits the individual is entitled to receive in that extended benefit period for weeks of unemployment beginning after the end of the benefit year, except as provided in this section, is reduced, but not to below zero, by the number of weeks for which the individual received, within that benefit year, trade readjustment allowances under the Trade Act of 1974, as amended.

(5) EXPIRATION.—This section expires April 5, 2010, unless reviewed and reenacted by the Legislature before that date.

Section 27. The provisions of s. 443.1117, Florida Statutes, as revived, reenacted, and amended by this act, apply only to claims for weeks of unemployment in which an exhaustee establishes entitlement to extended

benefits pursuant to that section which are established for the period between February 22, 2009, and April 5, 2010.

Section 28. The Legislature finds that the amendments made by this act to s. 443.1117, Florida Statutes, fulfill an important state interest.

#### TITLE AMENDMENT

Remove line 82 and insert:

related needs of economic development projects; reviving, reenacting, and amending s. 443.1117, F.S.; providing for retroactive application; establishing temporary state extended benefits for weeks of unemployment; revising definitions; providing for state extended benefits for certain weeks and for periods of high unemployment; providing applicability; providing a declaration of important state interest; providing

Rep. Murzin moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 5101**—A bill to be entitled An act relating to prekindergarten through grade 12 education funding; amending s. 212.055, F.S.; deleting the requirement that a district school board imposing the school capital outlay surtax implement a freeze on noncapital local school property taxes; amending s. 216.292, F.S.; deleting provisions relating to the transfer of certain funds for class size reduction; amending s. 1001.451, F.S.; revising provisions relating to the appropriation of funds for regional consortium service organizations; amending s. 1002.32, F.S.; revising and correcting a calculation relating to funding for lab school operating purposes; amending s. 1002.33, F.S.; providing that certain capital outlay funds shared with a charter school-in-the-workplace have met expenditure requirements; revising provisions relating to the withholding of an administrative fee for provision of services by the sponsor of a charter school; amending s. 1002.37, F.S.; revising and correcting a calculation relating to funding for Florida Virtual School operating purposes; amending s. 1002.39, F.S.; revising provisions relating to private school documentation for quarterly scholarship payments under the John M. McKay Scholarships for Students with Disabilities Program; amending s. 1002.45, F.S.; providing additional conditions by which a student may become eligible to enroll in a school district virtual instruction program; requiring district school boards to develop plans for meeting class size requirements; requiring public hearings; prohibiting certain campaigning; amending s. 1003.03, F.S., contingent on voter approval of a joint resolution that provides that the current limits on the maximum number of students assigned to each teacher in public school classrooms would become limits on the average number of students assigned per class to each teacher by specified grade grouping in each public school beginning with the 2010-2011 school year; conforming requirements for maximum class size to the joint resolution; providing for Department of Education calculations for implementation; providing an additional implementation option; providing for a reduction in a school district's class-size-reduction operating categorical allocation if a school district's class size exceeds the class size maximums; providing for contingent and retroactive effect; amending s. 1003.03, F.S., contingent on the voters not approving a joint resolution that provides that the current limits on the maximum number of students assigned to each teacher in public school classrooms would become limits on the average number of students assigned per class to each teacher by specified grade grouping in each public school beginning with the 2010-2011 school year; providing for Department of Education calculations for implementation; providing an additional implementation option; providing for a reduction in a school district's class-size-reduction operating categorical allocation if a school district's class size exceeds the class size maximums; providing for contingent and retroactive effect; creating s. 1003.572, F.S.; requiring each district school board to annually report information relating to gifted students and the education services provided to such students; requiring the State Board of Education to adopt rules; creating s. 1006.281, F.S.; encouraging school districts to have access to electronic learning management systems with certain functionality; amending s. 1006.29, F.S.; revising items considered instructional materials for purposes

of state adoption; providing that certain instructional materials shall be available as separate and unbundled items; amending s. 1006.33, F.S.; requiring that certain instructional materials shall primarily be adopted and delivered in electronic format; providing for electronic samples of instructional materials; amending s. 1006.34, F.S.; authorizing the Commissioner of Education to add instructional materials to the list of recommendations of state instructional materials committees in certain circumstances; amending s. 1006.40, F.S.; revising provisions relating to the use of allocations for instructional materials; amending s. 1007.27, F.S.; providing that certain students shall be deemed authorized users of specified state-funded electronic library resources; requiring the State Board of Education and the Board of Governors to adopt rules; amending s. 1011.62, F.S.; providing for the expenditure of funds appropriated for the International Baccalaureate Program; revising the calculation of and appropriation for additional full-time equivalent membership for students who complete an industry-certified career and professional academy program; revising calculations for school district required local effort; revising provisions relating to the transfer of categorical funds for certain purposes; providing requirements for the use of categorical funds for the purchase of technological equipment; revising the calculation for determination of the sparsity supplement; providing a restriction on certain calculations for allocation of state funds to a school district for current operation; amending s. 1011.67, F.S.; deleting certain requirements for distribution of funds for instructional materials to school districts; amending s. 1011.68, F.S.; revising a calculation for allocation of funds for student transportation to school districts; amending s. 1011.71, F.S.; requiring that the levy of certain school district millage must be approved by voters at specified elections; providing restrictions; amending s. 1011.73, F.S.; correcting a cross-reference; amending s. 1012.55, F.S.; authorizing positions for which certification is required for personnel who provide instruction to students through a virtual environment or through a blended virtual and physical environment; amending s. 1013.62, F.S.; authorizing capital outlay funding for a charter school-in-the-workplace; providing effective dates.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

#### THE SPEAKER IN THE CHAIR

**HB 5201**—A bill to be entitled An act relating to postsecondary education funding; amending s. 295.02, F.S.; revising provisions relating to the use of funds to pay postsecondary education expenses for children and spouses of certain members of the military; amending s. 295.04, F.S.; providing a definition; providing educational benefit award amounts for students at public and nonpublic eligible postsecondary education institutions; creating s. 1006.72, F.S.; providing requirements for the licensing of electronic library resources; requiring a process to annually identify electronic library resources for specified core categories; providing requirements for statewide, postsecondary, 4-year degree, and 2-year degree core resources; amending s. 1009.22, F.S.; requiring students in workforce education programs to be classified as residents or nonresidents for tuition purposes; authorizing, rather than requiring, the State Board of Education to adopt rules for use by district school boards and community college boards of trustees in the calculation of workforce education costs borne by students; amending s. 1009.24, F.S.; authorizing certain calculations for expenditures for need-based financial aid; providing that a student who is awarded a prepaid postsecondary tuition scholarship is exempt from payment of the tuition differential while the scholarship is in effect; requiring certain reporting; amending ss. 1009.534, 1009.535, and 1009.536, F.S.; providing that the award amount for a Florida Academic Scholar, Florida Medallion Scholar, and Florida Gold Seal Vocational Scholar shall be specified in the General Appropriations Act for the 2010-2011 academic year; amending s. 1009.984, F.S.; providing that a student who is awarded a prepaid postsecondary tuition scholarship is exempt from payment of the tuition differential while the scholarship is in effect; amending s. 1010.87, F.S.; providing that certain funds transferred to the Workers' Compensation Administration Trust Fund in the Department of Education shall revert to the Workers' Compensation Administration Trust

Fund in the Department of Financial Services; amending s. 1011.32, F.S.; revising the date for transmittal to the Legislature of information relating to the Community College Facility Enhancement Challenge Grant Program; amending s. 1011.80, F.S.; requiring students in workforce education programs to be classified as residents or nonresidents for tuition purposes; amending s. 1011.83, F.S.; deleting certain provisions relating to funds appropriated for baccalaureate degree programs conducted by community colleges; amending s. 1011.84, F.S.; requiring the Department of Education to estimate certain community college enrollments separately; reducing the number of fiscal years to be covered in each annual estimation; requiring a community college that grants baccalaureate degrees to report certain expenditures separately; amending s. 1013.79, F.S.; revising the date for transmittal to the Legislature of information relating to the University Facility Enhancement Challenge Grant Program; repealing s. 1009.5385, F.S., relating to the use of certain scholarship funds by children of deceased or disabled veterans; providing an effective date.

—was read the second time by title.

Representative Weatherford offered the following:

(Amendment Bar Code: 674453)

**Amendment 1 (with title amendment)**—Remove line 277 and insert: tuition scholarship that is purchased, in whole or in part, with private sector funds pursuant to s. 1009.984 is exempt from the

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#### TITLE AMENDMENT

Remove line 25 and insert:

postsecondary tuition scholarship that is purchased, in whole or in part, with private sector funds is exempt from the payment

Rep. Weatherford moved the adoption of the amendment, which was adopted.

Representative Weatherford offered the following:

(Amendment Bar Code: 195535)

**Amendment 2 (with title amendment)**—Remove line 353 and insert: prepaid postsecondary tuition scholarship that is purchased, in whole or in part, with private sector funds under this section is

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#### TITLE AMENDMENT

Remove line 34 and insert:

postsecondary tuition scholarship that is purchased, in whole or in part, with private sector funds is exempt from the payment

Rep. Weatherford moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 5301**—A bill to be entitled An act relating to Medicaid services; amending s. 400.141, F.S.; conforming a cross-reference to changes made by the act; amending s. 400.23, F.S.; providing for flexibility in how to meet the minimum staffing requirements for nursing home facilities; amending s. 409.903, F.S.; eliminating eligibility and coverage for women during pregnancy and the postpartum period who live in a family that has an income at or below a specified percentage of the federal poverty level; amending s. 409.904, F.S.; revising the expiration date of provisions authorizing the federal waiver for certain persons age 65 and over or who have a disability; revising the expiration date of provisions authorizing a specified medically needy program; amending s. 409.906, F.S.; eliminating optional adult

Medicaid coverage for chiropractic services for adult recipients; amending s. 409.908, F.S.; updating the formula used for calculating reimbursements to providers of prescribed drugs; amending s. 409.9082, F.S.; revising the purpose of the use of the nursing home facility quality assessment and federal matching funds; amending s. 409.9083, F.S.; revising the purpose of the use of the privately operated intermediate care facilities for the developmentally disabled quality assessment and federal matching funds; amending s. 409.911, F.S.; updating the data to be used in calculating disproportionate share; revising the formula used to pay disproportionate share dollars to provider service network hospitals; amending s. 409.912, F.S.; continuing the prohibition against distributing moneys under the perinatal intensive care centers disproportionate share program; amending s. 409.913, F.S.; continuing authorization for the distribution of moneys to teaching hospitals under the disproportionate share program; amending s. 409.917, F.S.; continuing the prohibition against distributing moneys under the primary care disproportionate share program; amending s. 409.912, F.S.; updating the formula used for calculating reimbursements to providers of prescribed drugs; amending s. 430.707, F.S.; permitting the Agency for Health Care Administration, in consultation with the Department of Elderly Affairs, to accept and forward an application for expansion of service capacity to the Centers for Medicare and Medicaid Services for a specified entity that provides benefits under the Program of All-inclusive Care for the Elderly; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5303**—A bill to be entitled An act relating to the Agency for Persons with Disabilities; amending s. 393.065, F.S.; revising provisions relating to the order of priority for clients with developmental disabilities waiting for waiver services; extending the date for implementation for certain categories of clients; amending s. 393.0661, F.S.; specifying assessment instruments to be used for the delivery of home and community-based Medicaid waiver program services; revising provisions relating to assignment of clients to waiver tiers; directing the agency to eliminate behavior assistance services; reducing the geographic differential for Miami-Dade, Broward, Palm Beach, and Monroe Counties for residential habilitation services; creating s. 393.0662, F.S.; establishing the iBudget program for the delivery of home and community-based services; providing for amendment of current contracts to implement the iBudget system; providing for the phasing in of the program; requiring clients to use certain resources before using funds from their iBudget; requiring the agency to provide training for clients and evaluate and adopt rules with respect to the iBudget system; amending s. 393.125, F.S.; providing for hearings on Medicaid programs administered by the agency; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5305**—A bill to be entitled An act relating to child welfare; creating s. 402.7306, F.S.; requiring the Department of Children and Family Services, the Department of Health, the Agency for Persons with Disabilities, the Agency for Health Care Administration, and community-based care lead agencies to adopt policies for the administrative monitoring of child welfare providers; authorizing private-sector entities to establish an Internet-based data warehouse and archive for the maintenance of specified records of child welfare providers; providing agency and provider requirements; amending s. 402.7305, F.S.; providing a limitation on the frequency of monitoring of child-caring and child-placing service providers; prohibiting certain duplicative monitoring; amending s. 409.1451, F.S.; providing that certain services provided to young adults formerly in foster care are subject to a specific appropriation; revising provisions relating to calculating the amount of, issuing, and terminating an award granted under the Road-to-Independence Program; repealing s. 409.1663, F.S., relating to adoption benefits for qualifying adoptive employees of state agencies; amending s. 409.1671, F.S.; revising provisions relating to funding for contracts established between the Department of Children and Family Services and community-based care lead

agencies; authorizing the department to outsource certain functions; authorizing a community-based care lead agency to make certain expenditures; amending s. 409.166, F.S.; conforming a reference to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5307**—A bill to be entitled An act relating to mental health and substance abuse; repealing s. 394.655, F.S., relating to the establishment of the Substance Abuse and Mental Health Corporation; amending ss. 14.20195, 394.656, 394.657, 394.658, and 394.659, F.S.; conforming references to changes made by the act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5309**—A bill to be entitled An act relating to the Comprehensive Statewide Tobacco Education and Use Prevention Program; amending s. 381.84, F.S.; providing for the counter-marketing and advertising campaign to include innovative communication strategies; revising terminology; providing requirements for administration and management of the program by the Department of Health; deleting county health department funding eligibility; specifying purpose of funds distributed under the program; revising the area health education center network program component functions and requirements; authorizing community mental health providers under contract with the Department of Children and Family Services to receive a share of the annual appropriation for specified purposes, subject to a specific appropriation in the General Appropriations Act; requiring the Department of Health to submit a proposal to the Governor and Legislature for developing a pilot program by a specified date; specifying elements of the proposal; deleting obsolete language; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5311**—A bill to be entitled An act relating to the Department of Health; amending s. 20.435, F.S.; revising provisions for administration and use of funds in the Administrative Trust Fund and the Emergency Medical Services Trust Fund; providing for such administration and use under specified provisions; amending ss. 318.14, 318.18, and 318.21, F.S.; providing that funds collected from disposition of certain motor vehicle infractions shall be deposited into the Emergency Medical Services Trust Fund; removing provisions for deposit of such funds into the Administrative Trust Fund; providing for use of the funds; correcting a reference; amending ss. 320.131, 327.35, 381.765, and 938.07, F.S.; correcting references to the Brain and Spinal Cord Injury Program Trust Fund; amending ss. 381.78 and 381.79, F.S.; correcting references; amending s. 395.403, F.S., relating to reimbursement of trauma centers; revising eligibility provisions to remove provisional trauma centers and certain hospitals; providing for payments to be made from the Emergency Medical Services Trust Fund; removing provisions for one-time payments from the Administrative Trust Fund; amending s. 395.4036, F.S.; providing for use of funds in the Emergency Medical Services Trust Fund for verified trauma centers; removing provisions for such use of funds in the Administrative Trust Fund; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 5401**—A bill to be entitled An act relating to clerks of the court; transferring the Clerks of the Court Trust Fund to the Department of Revenue; amending s. 11.90, F.S.; providing additional powers and duties of the Legislative Budget Commission; amending s. 28.241, F.S.; revising distributions of filing fees for trial and appellate proceedings; amending s. 28.246, F.S.; conforming provisions relating to transfer of the Clerks of the Court Trust Fund; amending s. 28.35, F.S.; deleting provisions providing for

housing the Florida Clerks of Court Operations Corporation within the Justice Administrative Commission, specifying the corporation as a budget entity of the commission, and specifying corporation employees as commission employees; revising membership of the corporation's executive council; specifying that the corporation is subject to certain procurement requirements; revising and expanding the duties and responsibilities of the corporation relating to budget requests; providing definitions; requiring the corporation to submit certain budgets and information to the Legislative Budget Commission; providing duties and responsibilities of the commission; deleting a requirement that clerks of court submit certain financial audit information to the Supreme Court; amending s. 28.36, F.S.; revising required budget procedures for budget requests for funding court-related functions of the clerks of court; providing duties of the corporation; creating s. 28.365, F.S.; subjecting clerks of the courts to certain procurement requirements and limitations; amending s. 28.37, F.S.; revising requirements for distribution of fines, fees, service charges, and court costs collected by clerks of the court; amending s. 28.43, F.S.; conforming provisions relating to transfer of the Clerks of the Court Trust Fund; amending s. 34.041, F.S.; revising requirements for distribution of certain filing fees collected by clerks of the court; requiring certain filing fees to be retained as fee income of the office of the clerk of the circuit court; amending s. 43.16, F.S.; deleting provisions including the Florida Clerks of Court Operations Corporation under provisions relating to the Justice Administrative Commission; amending s. 110.205, F.S.; deleting the Florida Clerks of Court Operations Corporation from certain career service exempt positions provisions; amending s. 142.01, F.S.; conforming provisions relating to transfer of the Clerks of the Court Trust Fund; amending s. 213.131, F.S.; specifying creation of the Clerks of the Court Trust Fund within the Department of Revenue; providing for credit of certain funds to the trust fund; amending s. 216.011, F.S.; deleting a reference to the Florida Clerks of Court Operations Corporation as a state agency; providing for approved budgets of the clerks of the circuit court; providing an effective date.

—was read the second time by title.

Representative Bogdanoff offered the following:

(Amendment Bar Code: 197461)

**Amendment 1**—Remove lines 452-457 and insert:

(i) By August 1 of each year, submitting to the

Rep. Bogdanoff moved the adoption of the amendment, which was adopted.

Representative Bogdanoff offered the following:

(Amendment Bar Code: 963399)

**Amendment 2**—Remove line 555 and insert:

required by s. 28.35(2)(f) and shall specify any salary increases or any bonuses anticipated to be made to employees of the office performing court-related duties. The proposed budget must provide

Rep. Bogdanoff moved the adoption of the amendment, which was adopted.

Representative Bogdanoff offered the following:

(Amendment Bar Code: 011605)

**Amendment 3**—Remove line 602 and insert:

of court-related functions in s. 28.35(3)(a) and that any reported deficit funding is necessary for the clerk to adequately perform the court-related duties based on workload.

Rep. Bogdanoff moved the adoption of the amendment, which was adopted.



Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 5403**—A bill to be entitled An act relating to trust funds; amending ss. 25.241 and 35.22, F.S.; providing for deposit of specified fees into the State Courts Revenue Trust Fund rather than the state court's Operating Trust Fund; amending s. 832.08, F.S.; providing for deposit of bad check diversion program fees into the State Attorneys Revenue Trust Fund; amending s. 938.27, F.S.; providing for deposit of certain court costs after criminal convictions into the State Attorneys Revenue Trust Fund rather than the state attorney's grants and donations trust fund; transferring certain unexpended balances in trust funds to conform to changes made by this act; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5501**—A bill to be entitled An act relating to the Department of Highway Safety and Motor Vehicles; amending s. 316.066, F.S.; revising provisions for motor vehicle crash reports; providing for short-form crash reports to be completed under certain circumstances and maintained by the local law enforcement agency; authorizing law enforcement agencies to request supplemental reports from drivers and written reports from witnesses under certain circumstances; amending s. 322.02, F.S.; revising legislative intent relating to delivery of driver's license services by tax collectors; providing that it is the intent of the Legislature to transition all driver license issuance services from the Department of Highway Safety and Motor Vehicles to tax collectors; conforming a cross-reference; amending s. 322.135, F.S.; requiring the department to authorize any or all of the tax collectors in the several counties of the state to serve as its agent for the provision of specified driver's license services; removing an exemption from a fee charged by such agents; directing the department, in conjunction with the Florida Tax Collectors Association, to develop a plan to transition all driver's license issuance services to county tax collectors; requiring the plan to be submitted to the Legislature; removing procedures for approval of tax collectors as agents upon application by the tax collector; amending s. 322.20, F.S.; providing for county clerks of court and tax collectors to provide 3-year, 7-year, or complete driver records to any person upon collection of specified fees; requiring certain fees collected to be remitted to the department within a certain time period; amending ss. 322.2615, 324.051, 921.0022, F.S.; conforming cross-references; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 5503**—A bill to be entitled An act relating to transportation revenue; amending s. 215.211, F.S.; removing provisions that eliminate imposition of a specified service charge on specified income of a revenue nature; reenacting s. 215.20(1), F.S., relating to a service charge appropriated from income of a revenue nature deposited in trust funds to provide for imposition of the service charge pursuant to changes made by the act to s. 215.211, F.S.; amending s. 320.072, F.S.; revising the disposition of proceeds collected on the initial application for registration of specified motor vehicles; amending s. 339.135, F.S.; providing for effect of revised funding levels on department projects; providing an effective date.

—was read the second time by title.

Representative Saunders offered the following:

(Amendment Bar Code: 637015)

**Amendment 1 (with title amendment)**—Between lines 17 and 18, insert:  
Section 1. This act may be cited as the "Job Killer Act of 2010."

#### TITLE AMENDMENT

Remove line 2 and insert:

An act relating to transportation revenue; providing a short title; amending s.

Rep. Saunders moved the adoption of the amendment.

Representative Hasner offered the following:

(Amendment Bar Code: 527981)

**Substitute Amendment 1 (with title amendment)**—Between lines 17 and 18, insert:

Section 1. This act may be cited as the "Protecting Healthcare and Education Funding Act of 2010."

#### TITLE AMENDMENT

Remove line 2 and insert:

An act relating to transportation revenue; providing a short title; amending s.

Rep. Hasner moved the adoption of the substitute amendment. Subsequently, **Amendment 1** and **Substitute Amendment 1** were withdrawn.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 633].

Representative Zapata offered the following:

(Amendment Bar Code: 043695)

**Amendment 2**—Remove lines 124-137 and insert:  
206.608, 207.026, 212.0501(6), 319.32(5), and 320.072(4). This subparagraph expires July 1, 2010.

4. For ~~the 2009-2010 fiscal years~~ 2010-2011 through 2014-2015 year only, prior to any project or phase thereof being deferred, the department's cash balances shall be as provided in paragraph (6)(b), and the reductions in subparagraph 3. shall be made to financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV. These reductions shall not negatively impact safety or maintenance or project contingency

Rep. Zapata moved the adoption of the amendment.

Representative Hukill offered the following:

(Amendment Bar Code: 515957)

**Substitute Amendment 2**—Remove lines 124-137 and insert:  
206.608, 207.026, 212.0501(6), 319.32(5), and 320.072(4). This subparagraph expires July 1, 2010.

4. For ~~the 2009-2010 fiscal years~~ 2010-2011 through 2014-2015 year only, prior to any project or phase thereof being deferred, the department's cash balances shall be as provided in paragraph (6)(b), and the reductions in subparagraph 3. shall be made to financial projects not programmed for contract letting as identified with a work program contract class code 8 and the box code RV. These reductions shall not negatively impact safety, ~~or~~ maintenance, financial projects for the purchase of the Central Florida Commuter Rail Corridor, or project contingency

Rep. Hukill moved the adoption of the substitute amendment, which was adopted. The vote was:

Session Vote Sequence: 634

Speaker Cretul in the Chair.

Yeas—57

Anderson  
Aubuchon

Bogdanoff  
Bovo

Burgin  
Cannon

Carroll  
Coley

Cretul	Hasner	Nelson	Snyder
Crisafulli	Hays	O'Toole	Thompson, G.
Culp	Holder	Patronis	Thompson, N.
Drake	Homan	Patterson	Tobia
Eisnaugle	Hooper	Plakon	Van Zant
Ford	Horner	Precourt	Weatherford
Fresen	Hudson	Proctor	Weinstein
Frishe	Hukill	Ray	Williams, T.
Galvano	Kelly	Reagan	Wood
Glorioso	Legg	Renuart	Workman
Gonzalez	Lopez-Cantera	Roberson, K.	
Grady	Mayfield	Schenck	
Grimsley	Murzin	Schultz	

Nays—49

Abruzzo	Evers	Pafford	Saunders
Adkins	Fetterman	Planas	Schwartz
Bembry	Fitzgerald	Poppell	Skidmore
Bernard	Garcia	Porth	Steinberg
Boyd	Gibbons	Rader	Taylor
Brandenburg	Gibson	Reed	Thurston
Braynon	Heller	Rehwinkel	Troutman
Brisé	Jenne	Robaina	Waldman
Bullard	Jones	Roberson, Y.	Williams, A.
Bush	Kiar	Rogers	Zapata
Chestnut	Kriseman	Rouson	
Clarke-Reed	Llorente	Sachs	
Cruz	Long	Sands	

Votes after roll call:

Yeas—Dorworth, McKeel, Soto

Nays—Stargel

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 5505**—A bill to be entitled An act relating to the supplemental corporate fee; amending s. 607.0122, F.S.; specifying that a reinstatement application fee includes a certain late charge; amending s. 607.193, F.S.; deleting an exception for liability for a late charge; amending s. 607.1422, F.S.; requiring inclusion of a reinstatement application fee under fees owed by a corporation seeking reinstatement after administrative dissolution; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5601**—A bill to be entitled An act relating to Department of Revenue maps and photographs; amending s. 195.022, F.S.; revising requirements for the department to prescribe and furnish certain photographs and maps to property appraisers; requiring that all aerial photographs and nonproperty ownership maps furnished by the department to a property appraiser be at the property appraiser's expense; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5603**—A bill to be entitled An act relating to the Department of Financial Services; amending s. 17.04, F.S.; authorizing the Division of Insurance Fraud and the Office of Fiscal Integrity to conduct certain enforcement investigations; amending s. 20.121, F.S.; transferring the Office of Fiscal Integrity of the Division of Accounting and Auditing of the Department of Financial Services to the department's Division of Insurance Fraud; amending ss. 284.01 and 284.36, F.S.; revising criteria for premiums charged to agencies and departments for purposes of the State Risk Management Trust Fund; amending s. 284.42, F.S.; revising reporting requirements on the state insurance program; requiring the Division of Risk Management to analyze and report on certain agency return-to-work programs and activities; amending s. 284.50, F.S.; requiring certain agencies to establish and maintain return-to-work programs for certain employees; providing program goals; providing construction; requiring the Division of Risk Management to evaluate agency risk management programs; requiring reports; requiring agencies to respond to the division's evaluation and

recommendations; requiring the division to submit the evaluation report to the legislative appropriations committees; amending s. 440.50, F.S.; providing for reversion of certain unencumbered and undisbursed funds to the Workers' Compensation Administration Trust Fund; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5605**—A bill to be entitled An act relating to the Public Employees Relations Commission; amending s. 447.205, F.S.; requiring the commission to be comprised of a chair and two part-time members; requiring the chair of the commission to devote full time to commission duties and not engage in any other business, vocation, or employment while in such office; prohibiting the part-time members from engaging in any business, vocation, or employment that conflicts with their duties while in such office; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5607**—A bill to be entitled An act relating to retirement; amending s. 121.71, F.S.; revising the payroll contribution rates for the membership classes of the Florida Retirement System for the state fiscal years effective July 1, 2010, and July 1, 2011; deleting a provision providing for recognition and usage of current available excess assets of the Florida Retirement System Trust Fund to offset employer contribution rates for the Florida Retirement System; requiring the state actuary to consider additional factors when conducting the annual actuarial study of the Florida Retirement System; specifying the factors to be considered; providing a declaration of important state interest; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 5611**—A bill to be entitled An act relating to the Department of Management Services; amending s. 287.042, F.S.; providing that fees collected by the department for the use of its electronic information services in excess of the obligations and encumbrances to cover the department's costs of providing the services shall be calculated annually and transferred to the General Revenue Fund; amending s. 287.057, F.S.; providing that fees collected by the department for the use of the services of its online procurement systems in excess of the obligations and encumbrances to cover the department's costs of providing the services shall be calculated annually and transferred to the General Revenue Fund; amending s. 287.05721, F.S.; repealing the definition of "council" as it relates to the Council on Efficient Government; repealing s. 287.0573, F.S., relating to creation of the Council on Efficient Government within the department; amending s. 287.0574, F.S.; conforming provisions to the elimination of the Council on Efficient Government; requiring that a business case be submitted in the form and manner required by the budget instructions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5701**—A bill to be entitled An act relating to health insurance subsidies; amending s. 110.12312, F.S.; conforming provisions to changes made by this act; amending s. 112.19, F.S.; revising eligibility for certain health insurance subsidies for law enforcement, correctional, and correctional probation officers; amending s. 112.191, F.S.; revising eligibility for certain health insurance subsidies for firefighters; amending s. 112.363, F.S.; providing for the elimination of retiree health insurance subsidies to certain new retirees or beneficiaries; provides for the future repeal of certain retiree health insurance subsidies; amending s. 121.051, F.S.; conforming provisions to changes made by this act; revising the employer contribution for employees in the State Community College System Optional Retirement Program; amending ss. 121.052, 121.055, and 121.071, F.S.; revising the employer retiree health insurance subsidy contribution for participants in the Elected

Officers' Class, Senior Management Service Class, Regular Class, Special Risk Class, and Special Risk Administrative Support Class; providing for future repeal of specified required employer contributions on behalf of each member of the Elected Officers' Class, Senior Management Service Class, Regular Class, Special Risk Class, and Special Risk Administrative Support Class; amending s. 121.053, F.S.; revising requirements for the earning of additional credit toward the maximum health insurance subsidy for certain members of the Elected Officers' Class; providing for future repeal of provision relating to health insurance subsidies; amending s. 121.091, F.S.; providing that certain employees who have terminated participation in DROP may not receive retiree health insurance subsidy payments; amending s. 121.091, F.S.; providing for the future repeal of certain provisions to conform to changes made by this act; amending s. 121.122, F.S.; revising requirements for the earning of additional credit toward the maximum health insurance subsidy for certain members of the Senior Management Service Class; amending s. 121.122, F.S.; providing for future repeal of certain provisions to conform to changes made by this act; amending s. 121.35, F.S.; providing for the transfer of contributions for members in the State University Optional Retirement Program to the Florida Retirement System Trust Fund; revises the employer contribution for employees in the State University Optional Retirement Program; revising the employer contribution for participants in the optional retirement program; providing for the future repeal of subsection (18) of s. 121.4501, F.S., relating to the Public Employee Optional Retirement Program retiree health insurance subsidy; conforms cross-references; amending s. 121.571, F.S.; conforming provisions to changes made by this act; amending s. 121.591, F.S.; conforming cross-references; amending s. 121.76, F.S.; revising provisions relating to contributions for Social Security and the retiree health insurance subsidy; amending s. 1012.875, F.S.; revises the employer contribution for employees in the State Community College System Optional Retirement Program; providing effective dates.

—was read the second time by title.

#### THE SPEAKER PRO TEMPORE IN THE CHAIR

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 5703**—A bill to be entitled An act relating to retirement; amending s. 112.64, F.S.; providing limitations for the total contributions made to certain retirement systems or plans; prohibiting certain retirement systems or plans from amortizing their unfunded liabilities over a specified period; limiting the amortization bases created in specified future plan years; providing disclosure requirements; amending s. 121.053, F.S.; requiring employers to make specified retirement contributions on behalf of certain employees in the Elected Officers' Class, including those in DROP; providing exceptions; amending s. 121.055, F.S.; requiring employers to make specified retirement contributions on behalf of certain employees who have withdrawn from the Senior Management Service Class; providing an exception; amending s. 121.122, F.S.; requiring employers to make specified retirement contributions on behalf of certain reemployed retirees; providing an exception; amending ss. 112.05, 121.051, 121.091, 121.35, and 1012.875, F.S.; providing exceptions to required employer contributions on behalf of certain program participants in conformance with changes made by this act; providing a declaration of important state interest; providing an effective date.

—was read the second time by title.

Representative Lopez-Cantera offered the following:

(Amendment Bar Code: 752153)

**Amendment 1 (with title amendment)**—Between lines 38 and 39, insert: Section 2. Subsection (7) of section 112.625, Florida Statutes, is amended to read:

112.625 Definitions.—As used in this act:

(7) "Statement value" means the value of assets in accordance with s. 302(c)(2) of the Employee Retirement Income Security Act of 1974 and as permitted under regulations prescribed by the Secretary of the Treasury as

amended by Pub. L. No. 100-203, as such sections are in effect on August 16, 2006. Assets for which a fair market value is not provided shall be excluded from the assets used in the determination of annual funding cost. For fiscal years ending in 2010, 2011, and 2012, statement value may be determined without regard to the corridor limit above and below the fair market value of assets. Any retirement system or plan that makes a determination of its statement value without regard to the corridor limit above and below the fair market value of assets must disclose this option of funding in its actuarial valuation for affected plan years.

#### TITLE AMENDMENT

Remove line 2 and insert:

An act relating to retirement; amending s. 112.625, F.S.; revising the definition of the term "statement value"; amending s. 112.64, F.S.;

Rep. Lopez-Cantera moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

#### THE SPEAKER IN THE CHAIR

**HB 5705**—A bill to be entitled An act relating to state employees; providing for the resolution of economic collective bargaining issues at impasse between the State of Florida and certified bargaining units for state employees pursuant to specified instructions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5707**—A bill to be entitled An act relating to the Florida Savings Fund; amending s. 215.32, F.S.; establishing the Florida Savings Fund; conforming provisions; specifying that the fund balance is part of the working capital balance of the state; providing for the calculation of the required fund balance; providing for transfer of funds from the General Revenue Fund to the Florida Savings Fund; requiring that interest earned by the Florida Savings Fund be deposited in the General Revenue Fund; providing for the use of funds in the Florida Savings Fund; amending s. 216.221, F.S.; specifying conditions for determining when a deficit in the General Revenue Fund is deemed to occur for purposes of adjusting appropriations to prevent such a deficit; authorizing the Chief Financial Officer to transfer funds from the Florida Savings Fund to the General Revenue Fund under certain circumstances; conforming cross-references; amending s. 216.222, F.S.; revising the conditions for determining when a deficit in the General Revenue Fund is deemed to occur for purposes of transferring funds from the Budget Stabilization Fund to offset such a deficit; amending s. 252.37, F.S.; authorizing funds in the Florida Savings Fund to be transferred and expended under certain emergency conditions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 5709**—A bill to be entitled An act relating to joint legislative organizations; repealing s. 11.42, F.S., relating to the Auditor General; repealing ss. 11.51, 11.511, and 11.513, F.S., relating to the Office of Program Policy Analysis and Government Accountability; repealing s. 11.60, F.S., relating to the Joint Administrative Procedures Committee; repealing s. 11.70, F.S., relating to the Legislative Committee on Intergovernmental Relations; repealing s. 11.80, F.S., relating to the Joint Legislative Committee on Everglades Oversight; repealing ss. 11.901-11.920, F.S., relating to the Florida Government Accountability Act; repealing ss. 13.01-13.09, F.S., relating to interstate cooperation; repealing ss. 13.90-13.996, F.S., relating to the Florida Legislative Law Revision Council; repealing ss. 216.0446, 216.163(2)(f), and 282.322, F.S., relating to the review of information technology resources needs and a special monitoring process for designated

information resources management projects; repealing ss. 450.201, 450.221, 450.231, and 450.241, F.S., relating to the Legislative Commission on Migrant and Seasonal Labor; renumbering s. 13.10, F.S., relating to state commissioners to the National Conference of Commissioners on Uniform State Laws; amending s. 1.01, F.S.; defining the terms "Administrative Procedures Committee," "Legislative Auditing Committee," "Legislative Accountability Office," and "Office of Economic and Demographic Research," applicable throughout the statutes; amending s. 11.40, F.S.; revising duties of the Legislative Auditing Committee; conforming provisions to changes made by the act; amending s. 11.45, F.S.; defining the terms "Auditor General" and "Presiding officer" for purposes of ss. 11.40-11.47, F.S.; providing duties of the Legislative Accountability Office; providing for the office to perform duties previously performed by, and be subject to requirements previously imposed on, the Auditor General and the Office of Program Policy Analysis and Government Accountability; conforming provisions to changes made by the act; amending s. 11.47, F.S.; applying penalties to the director and staff of the Legislative Accountability Office for failure to make a proper audit or examination, making a false report, or failure to produce documents or information; conforming provisions to changes made by the act; amending ss. 112.3187 and 112.3189, F.S.; including the Legislative Accountability Office within the Whistle-blower's Act; amending s. 1000.01, F.S.; deleting provisions relating to creation of the Council for Education Policy Research and Improvement; amending ss. 11.9005, 29.0085, 112.313, 112.324, 163.055, 163.3245, 189.421, 189.428, 215.981, 216.181, 218.32, 218.38, 259.1053, 287.0943, 288.7001, 288.9610, 373.026, 373.036, 373.45926, 450.261, 590.33, 1001.453, 1004.28, and 1004.70, F.S.; conforming provisions to changes made by the act; requesting the Division of Statutory Revision to make conforming changes to the Florida Statutes; providing an effective date.

—was read the second time by title.

Representative Jenne offered the following:

(Amendment Bar Code: 068315)

**Amendment 1 (with title amendment)**—Between lines 1599 and 1600, insert:

Section 43. The Legislative Accountability Office must complete all reports and studies being prepared or conducted by the Office of Program Policy and Government Accountability as of July 1, 2010, and all other reports and studies required of the Office of Program Policy and Government Accountability by law since July 1, 2009, but not yet begun.

#### TITLE AMENDMENT

Remove line 54 and insert:

the act; requiring the Legislative Accountability Office to complete certain reports and studies assigned to or required of the Office of Program Policy and Government Accountability; requesting the Division of Statutory Revision to

Rep. Jenne moved the adoption of the amendment. Subsequently, **Amendment 1** was withdrawn.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

By Representative Eisnaugle—

**HCR 5711**—A concurrent resolution relating to joint legislative organizations.

WHEREAS, the Legislature has independent constitutional authority to administer and direct all legislative offices and employees, and

WHEREAS, one Legislature may not bind any succeeding Legislature, and

WHEREAS, each Legislature, at the time of organizing, enjoys all the powers, rights, privileges, and immunities vested in or granted to the

Legislature, the Senate, and the House of Representatives by the Florida Constitution and other organic law, and

WHEREAS, HB 5709, 2010 Regular Session, repeals provisions of law that purport to govern the administration of certain legislative offices, and

WHEREAS, it is the intention of the Twenty-First Legislature convened under the Constitution of 1968 that certain offices and legislative activities continue under its constitutional authority, and

WHEREAS, the Legislature intends that the Twenty-Second Legislature be well advised regarding the continuation of certain existing offices and legislative activities, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That:

(1) Until superseded by any joint rule, concurrent resolution, or agreement of the President of the Senate and the Speaker of the House of Representatives, and only to the extent not inconsistent with the Laws of Florida as amended by this Legislature, the provisions of sections 11.42 and 11.45, Florida Statutes 2009, relating to the Auditor General, and sections 11.51, 11.511, and 11.513, Florida Statutes 2009, relating to the Office of Program Policy Analysis and Government Accountability, are incorporated in this subsection by reference and shall remain operative.

(2) To the extent the President of the Senate and the Speaker of the House of Representatives agree that particular legislative activities are useful and beneficial, they shall, on or before the effective date of HB 5709, 2010 Regular Session, or within a reasonable time thereafter, assign to appropriate legislative offices any legislative activities referenced in:

(a) Section 11.60, Florida Statutes 2009, relating to the Joint Administrative Procedures Committee.

(b) Section 11.70, Florida Statutes 2009, relating to the Legislative Committee on Intergovernmental Relations.

(c) Sections 216.0446, 216.163(2)(f), and 282.322, Florida Statutes 2009, relating to the review of information technology resources needs and a special monitoring process for designated information resources management projects.

(3) Until superseded by any joint rule, concurrent resolution, or agreement of the President of the Senate and the Speaker of the House of Representatives, to the extent necessary to carry out the purposes of this concurrent resolution, but only to the extent not inconsistent with the Laws of Florida as amended by this Legislature, the Legislative Auditing Committee may continue in operation and Joint Rule Three, relating to legislative support services, Joint Rule Four, relating to the Legislative Auditing Committee, Joint Rule Five, relating to the Auditor General, and Joint Rule Six, relating to the Office of Program Policy Analysis and Government Accountability, are hereby suspended and the provisions of those joint rules shall operate only as agreed by the President of the Senate and the Speaker of the House of Representatives.

(4) The President of the Senate and the Speaker of the House of Representatives, as soon as reasonably practicable after adjournment sine die of the 2010 Regular Session, shall appoint a joint select committee to recommend joint rules deemed advisable to govern joint committee procedures and joint rules to govern legislative offices referenced in statute, including, but not limited to, the following offices as defined in HB 5709, 2010 Regular Session:

(a) The Administrative Procedures Committee.

(b) The Legislative Auditing Committee.

(c) The Legislative Accountability Office.

(d) The Office of Economic and Demographic Research.

(5) This concurrent resolution shall be effective upon adoption by the Senate and the House of Representatives.

—was read the second time by title. On motion by Rep. Eisnaugle, the concurrent resolution was adopted and, under Rule 11.7(h), immediately certified to the Senate.

**HB 5713**—A bill to be entitled An act relating to agency travel; creating s. 20.058, F.S.; requiring agency heads and other specified state officials to establish permanent residency in or within 50 miles of Leon County; creating s. 20.059, F.S.; providing job-related travel and reimbursement reporting requirements for state agency heads and other specified state officials; providing an effective date.

—was read the second time by title.

Representative Llorente offered the following:

(Amendment Bar Code: 025833)

**Amendment 1 (with title amendment)**—Remove lines 12-21

#### TITLE AMENDMENT

Remove lines 2-5 and insert:

An act relating to agency travel; creating s. 20.059, F.S.; providing

Rep. Llorente moved the adoption of the amendment.

The absence of a quorum was suggested. A quorum was present [Session Vote Sequence: 635].

The question recurred on the adoption of **Amendment 1**, which was adopted. The vote was:

Session Vote Sequence: 636

Speaker Cretul in the Chair.

Yeas—58

Abruzzo	Domino	Long	Saunders
Ambler	Evers	Murzin	Schultz
Anderson	Fetterman	Pafford	Schwartz
Bembry	Fitzgerald	Patterson	Skidmore
Bernard	Garcia	Planas	Soto
Boyd	Gibson	Porth	Steinberg
Brandenburg	Gonzalez	Rader	Taylor
Braynon	Grady	Reed	Thompson, G.
Brisé	Heller	Rehwinkel	Vasilinda
Bullard	Jenne	Robaina	Thurston
Bush	Jones	Roberson, Y.	Troutman
Chestnut	Kiar	Rogers	Waldman
Clarke-Reed	Kreegel	Rouson	Williams, A.
Cruz	Kriseman	Sachs	Zapata
Culp	Llorente	Sands	

Nays—57

Adams	Fresen	Legg	Rivera
Adkins	Frishe	Lopez-Cantera	Roberson, K.
Aubuchon	Galvano	Mayfield	Schenck
Bogdanoff	Gibbons	McBurney	Snyder
Bovo	Glorioso	McKeel	Stargel
Burgin	Grimsley	Nelson	Thompson, N.
Carroll	Hasner	O'Toole	Tobia
Coley	Hays	Patronis	Van Zant
Cretul	Holder	Plakon	Weatherford
Crisafulli	Homan	Poppell	Weinstein
Dorworth	Hooper	Precourt	Wood
Drake	Horner	Proctor	Workman
Eisnaugle	Hudson	Ray	
Flores	Hukill	Reagan	
Ford	Kelly	Renuart	

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 5801**—A bill to be entitled An act relating to taxation; directing the Department of Revenue to develop and implement an amnesty program for taxpayers subject to the state and local taxes imposed by chapters 125, 175,

185, 198, 199, 201, 202, 203, 206, 211, 212, 220, 221, 252, 336, 376, 403, 624, 627, 629, and 681, F.S., and required to be paid to the Department of Revenue; providing time periods; providing program guidelines; providing for eligible participants; providing for waiver of penalties and interest under specified circumstances; providing for emergency rules; providing an appropriation; amending s. 213.053, F.S.; providing that the department may release confidential taxpayer information relating to a corporation having an outstanding tax warrant to the Department of Business and Professional Regulation; authorizing the department to publish a list of taxpayers against whom it has filed a warrant, notice of lien, or judgment lien certificate; requiring the department to update the list at least monthly; authorizing the department to adopt rules; authorizing the department to provide confidential taxpayer information relating to collections from taxpayers against whom it has taken a collection action; amending s. 213.50, F.S.; authorizing the Division of Hotels and Restaurants of the Department of Business and Professional Regulation to revoke or deny the renewal of a license to operate a public lodging establishment or public food service establishment under certain circumstances; creating s. 213.692, F.S.; authorizing the Department of Revenue to revoke all certificates of registration, permits, or licenses issued to a taxpayer against whose property the department has filed a warrant, notice of lien, or judgment lien certificate; requiring the scheduling of an informal conference before revocation of the certificates of registration, permits, or licenses; prohibiting the Department of Revenue from issuing a certificate of registration, permit, or license to a taxpayer whose certificate of registration, permit, or license has been revoked; providing exceptions; requiring security as a condition of issuing a new certificate of registration to a person whose certificate of registration, permit, or license has been revoked after the filing of a warrant, notice of lien, or judgment lien certificate; authorizing the department to adopt rules, including emergency rules; creating s. 213.758, F.S.; defining terms; providing for the transfer of tax liabilities to the transferee of a business or a stock of goods under certain circumstances; providing exceptions; requiring a taxpayer who quits a business to file a final tax return; authorizing the Department of Legal Affairs to seek injunctions to prevent business activities until taxes are paid; requiring the transfer of a business or stock of goods to file a final tax return and make a full tax payment after a transfer; authorizing a transferee of a business or stock of goods to withhold a portion of the consideration for the transfer for the payment of certain taxes; authorizing the Department of Legal Affairs to seek an injunction to prevent business activities by a transferee until the taxes are paid; providing that the transferees are jointly and severally liable with the transferor for the payment of taxes, interest, or penalties under certain circumstances; limiting the transferee's liability to the value or purchase price of the transferred property; specifying a time period within which a transferee may file certain actions; providing no liability to a transferee for a an involuntary transfer; authorizing the Department of Revenue to adopt rules; reenacting and amending s. 218.12, F.S.; making permanent a methodology for determining the value of assessments for certain homesteads for certain purposes; authorizing full-time equivalent positions and providing an appropriation for the purpose of conducting audits and tax collection services in the Department of Revenue; providing an effective date.

—was read the second time by title.

Representative Bogdanoff offered the following:

(Amendment Bar Code: 169555)

**Amendment 1**—Remove lines 163-190 and insert:

(9) In lieu of making full payment, as provided in subsection (3), a taxpayer may request in writing to make stipulated payments under a stipulated payment agreement. To be eligible to make stipulated payments, the taxpayer must sign the agreement to participate in the amnesty program, make a request for stipulated payments, and sign a stipulated payment agreement. The taxpayer shall make a minimum down payment of 12.5 percent of the outstanding amount due under the amnesty, pay the remaining balance in up to seven additional monthly installments, and meet each payment term detailed on the amortization schedule provided by the

department. Interest on the balance shall accrue pursuant to s. 213.235, Florida Statutes. If a taxpayer fails to make a monthly installment payment or is delinquent, the agreement to participate in the amnesty program and the stipulated payment agreement are void and the full amount of the original liability, including any interest and penalty, are due and payable.

(10) A taxpayer under criminal investigation, indictment, information, or prosecution regarding a revenue law of this state is not eligible to participate in the amnesty program. A taxpayer under pretrial intervention or a diversion program, probation, or community control or in a work camp, jail, state prison, or another correctional system regarding a revenue law of this state is not eligible to participate in the amnesty program.

(11) With or without an audit, the Department of Revenue may issue a notice or demand for payment with respect to any tax or interest that the department determines to be due with any return filed under the tax amnesty program, and such notice and demand is prima facie correct in any administrative, judicial, or quasi-judicial proceeding.

(12) The Department of Revenue may, on the basis of fraud, misrepresentation, or mutual mistake of fact, rescind a grant of amnesty, including any amnesty granted as a result of participation in the certified audit program during the period the amnesty program is in effect. Any taxpayer that files under the amnesty program false or fraudulent returns, forms, or documentation or attempts in any manner to defeat or evade a tax is subject to applicable penalties and criminal prosecution.

(13) Any local option tax administered by a local government that imposed the tax pursuant to a statute permitting self-administration is excluded from the amnesty program unless the local government notifies the Department of Revenue by June 1, 2010, that it chooses to participate in the amnesty program.

(14) The executive director of the Department of Revenue

Rep. Bogdanoff moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS for SB 1644**—A bill to be entitled An act relating to trust funds; terminating specified trust funds within the Department of State; providing for the disposition of balances in and revenues of such trust funds; prescribing procedures for the termination of such trust funds; amending s. 265.284, F.S.; redesignating the Florida Fine Arts Trust Fund within the Division of Cultural Affairs as the Grants and Donations Trust Fund; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

## Motion to Adjourn

Rep. Galvano moved that the House, after receiving reports, adjourn for the purpose of holding council and committee meetings and conducting other House business, to reconvene at 10:00 a.m., Thursday, April 1, 2010, or upon call of the Chair. The motion was agreed to.

## Messages from the Senate

*The Honorable Larry Cretul, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for HB 437.

*R. Philip Twogood, Secretary*

The above bill was ordered enrolled.

*The Honorable Larry Cretul, Speaker*

I am directed to inform the House of Representatives that the Senate has passed HB 689.

*R. Philip Twogood, Secretary*

The above bill was ordered enrolled.

## Votes After Roll Call

[Dates(s) of Vote(s) and Sequence Number(s)]

Rep. Porth:

Yeas—March 23: 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613

Yeas—March 24: 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630

Rep. Y. Roberson

Yeas—March 10: 561

Rep. Schultz

Yeas—March 2: 528

## Cosponsors

HB 5—Boyd

HB 7—Bovo, Renuart, Skidmore

HB 9—Dorworth, Plakon, Tobia

CS/HJR 37—Planas

HB 47—Soto

CS/HB 55—Soto

CS/CS/HB 131—Proctor

HB 207—Soto

CS/HB 219—Patronis

HB 377—Y. Roberson

HB 677—Bovo, Van Zant

HJR 679—Adkins

HB 715—Van Zant

HB 783—Bullard

HB 791—Van Zant

CS/CS/HB 965—Kiar

CS/CS/HB 1061—Bullard, Schwartz, Soto

HB 1093—Soto

HB 1193—Porth

HB 1235—Culp, Workman

HB 1283—Schwartz

HB 1449—Gonzalez, Kelly, McKeel, Robaina

HM 1459—Soto

HM 1583—Stargel, Workman

HR 9037—Zapata

HR 9049—Fetterman

HR 9055—Cruz, Ford, Gibson, Heller, Zapata

## Introduction and Reference

By the Agriculture & Natural Resources Policy Committee; Representative T. Williams—

**HB 7207**—A bill to be entitled An act relating to drinking water; amending s. 403.1837, F.S.; renaming the Florida Water Pollution Control Financing Corporation as the Florida Water Pollution Control and Drinking Water Financing Corporation; revising provisions regarding the purpose, powers, and duties of the corporation; providing that specified drinking water projects and activities are eligible for financing; amending s. 403.1835, F.S.; conforming terminology; deleting a requirement for the Department of Environmental Protection to administer programs funded by the corporation; amending s. 403.8532, F.S.; defining the terms "bonds" and "corporation"; authorizing the department to make or request the corporation to make loans, grants, and deposits for planning, designing, and constructing specified public water systems; authorizing the department to adopt rules regarding the procedural and contractual relationship between the department and the corporation; clarifying requirements for rules relating to loan security criteria; clarifying the purpose of the Drinking Water Revolving Loan Trust Fund; amending s. 403.8533, F.S.; providing that specified use of funds from the trust fund is subject to annual appropriation; providing that the trust fund is exempt from specified termination provisions; amending s. 11.45, F.S.; conforming terminology; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Energy & Utilities Policy Committee; Representative Precourt—

**HB 7209**—A bill to be entitled An act relating to reorganization of the Public Service Commission; amending s. 20.121, F.S.; establishing the Office of Regulatory Staff within the Financial Services Commission; requiring the executive director of the Office of Regulatory Staff to meet specified requirements; providing that the executive director's appointment is subject to Senate confirmation; amending s. 112.324, F.S.; revising provisions for disposition of ethics complaints against the Public Counsel and employees of the Public Counsel; amending s. 186.801, F.S.; directing the commission to request assistance from the Office of Regulatory Staff to make a preliminary study of certain site plans submitted to the commission by electric utilities; amending s. 350.001, F.S.; revising legislative intent; amending s. 350.011, F.S.; prohibiting certain acts by commissioners and commission staff; repealing s. 350.012, F.S., relating to the creation and organization of the Committee on Public Counsel Oversight; amending s. 350.031, F.S.; revising requirements for nomination by the Public Service Commission Nominating Council for appointment to the commission; creating s. 350.035, F.S.; prohibiting attempts by certain persons to sway the judgment of commissioners; providing for the Commission on Ethics to investigate complaints of violations pursuant to specified procedures; amending s. 350.04, F.S.; providing requirements for nomination by the Public Service Commission Nominating Council for appointment to the commission; requiring commissioners to complete a course of study developed by the executive director and general counsel of the Office of Regulatory Staff; requiring commissioners to complete continuing education; providing training requirements for commissioners and commission employees; requiring certifications of compliance to be provided to the Legislature; amending s. 350.041, F.S.; revising legislative intent; revising standards of

conduct for commissioners; revising provisions for investigation and reports by the Commission on Ethics of alleged violations; authorizing commission employees and the executive director of the Office of Regulatory Staff to request opinions from the Commission on Ethics; amending s. 350.042, F.S.; revising provisions for communications concerning agency action proceedings and proceedings under specified provisions; providing for application of such provisions to commission employees; revising restrictions on such communications by commissioners and commission employees; defining the term "ex parte communication"; providing a civil penalty; amending s. 350.06, F.S.; revising provisions for the offices of the commission, payment of moneys, and employment of personnel; amending s. 350.0605, F.S.; restricting employment of a former executive director or former employee of the Office of Regulatory Staff; amending s. 350.061, F.S.; providing for appointment of the Public Counsel by, and service of the Public Counsel at the pleasure of, the Attorney General; amending ss. 350.0613 and 350.0614, F.S.; providing powers and duties of the Attorney General regarding the Public Counsel and his or her employees to conform provisions to the transfer of the Public Counsel; creating s. 350.071, F.S.; creating the Office of Regulatory Staff within the Financial Services Commission; providing for the office to be considered a party of record in all proceedings before the Public Service Commission; requiring the commission to notify the office of certain proceedings; providing purpose of the office; defining the term "public interest"; providing that the office is subject to certain provisions governing ex parte communications; creating s. 350.072, F.S.; providing for an executive director and employees of the office; providing duties and responsibilities of the executive director; providing for submission of a budget to the Financial Services Commission; providing for the location, internal administration, and operation of the office; creating s. 350.073, F.S.; providing for appointment, term, qualifications, and salary of the executive director of the office; providing for application of specified provisions for standards of conduct; creating s. 350.074, F.S.; providing duties of the office; authorizing the office to intervene in certain proceedings; requiring the office to provide an annual report to the Legislature; directing the commission and the office to establish procedures by which the office may elect not to participate as a party in certain matters; creating s. 350.075, F.S.; authorizing the office to access certain books and records; amending s. 350.113, F.S.; revising authorized uses of the Florida Public Service Regulatory Trust Fund; amending s. 350.117, F.S.; authorizing the office to require reports; requiring a copy of any report provided to the commission to be provided to the office; authorizing the commission to request that the office perform management and operation audits of any regulated company; repealing s. 350.121, F.S., relating to commission inquiries and the confidentiality of business material; creating s. 350.122, F.S.; requiring persons testifying before the Public Service Commission to disclose certain financial and fiduciary relationships; providing that a determination by the commission that a violation occurred constitutes agency action for which a hearing may be sought; amending s. 364.016, F.S.; authorizing the office to assess a telecommunications company for certain travel costs; amending s. 364.02, F.S.; defining the term "office" as used in provisions relating to telecommunications companies; amending s. 364.15, F.S.; revising provisions authorizing the commission to compel changes to a telecommunications facility; amending s. 364.183, F.S.; providing that the office shall have access to certain records of a telecommunications company and may require a telecommunications company to file records, reports, or other data; specifying limitations on the authority of the commission to access records; providing for the office to maintain confidentiality; amending s. 364.185, F.S.; providing powers of the office to investigate and inspect telecommunications companies; removing such powers from the commission; amending s. 364.335, F.S.; revising the authority of the commission to institute a proceeding to determine whether the grant of a certificate of need concerning construction, operation, or control of a telecommunications facility is in the public interest; amending s. 364.3376, F.S.; providing for the office to conduct certain investigations; amending s. 364.3381, F.S.; revising the authority of the commission to investigate allegations of certain anticompetitive practices; amending s. 364.37, F.S.; revising the authority of the commission to make such order and prescribe such terms and conditions with respect to controversies concerning territory

to be served by a telecommunications facility; amending s. 366.02, F.S.; defining the term "office" as used in provisions relating to public utilities; amending s. 366.05, F.S.; authorizing the office to make certain purchases for examinations and testing; providing that the office shall have access to certain records and may require records, reports, or other data; specifying limitations on the authority of the commission to access records; authorizing the office to assess a public utility for certain travel costs; amending ss. 366.06, 366.07, 366.071, and 366.076, F.S.; removing authority of the commission to initiate certain proceedings or take certain actions upon its own motion; amending s. 366.08, F.S.; providing powers of the office to investigate public utilities; removing such powers from the commission; amending s. 366.093, F.S.; providing powers of the office to have access to records; specifying limitations on the authority of the commission to access records; providing for the office to maintain confidentiality; amending s. 366.82, F.S.; revising the authority of the commission to require modifications or additions to a utility's plans and programs; amending s. 367.021, F.S.; defining the term "office" as used in provisions relating to water and wastewater utilities; amending s. 367.045, F.S.; requiring a water or wastewater utility to provide notice to the office when it applies for an initial or amended certificate of authorization; providing for an objection and a request for a public hearing by the office; requiring the commission to give notice of certain actions upon petition of the office; amending s. 367.081, F.S.; revising the authority of the commission to fix rates of water and wastewater utilities or implement changes of such rates; amending s. 367.0814, F.S.; providing for a water or wastewater utility to request and obtain assistance from the office for the purpose of changing its rates and charges; revising the authority of the commission to authorize interim rates; directing the commission to request from the office any information necessary to complete a status report; amending ss. 367.0817, 367.082, 367.0822, and 367.083, F.S.; revising authority of the commission to initiate certain proceedings or take certain actions upon its own motion; amending s. 367.101, F.S.; providing that the commission shall, upon request, direct the office to investigate agreements or proposals for charges and conditions for service availability and report the results; amending s. 367.121, F.S.; revising powers of the commission; providing powers of the office; amending s. 367.122, F.S.; providing for the office to test meters; amending s. 367.145, F.S.; revising provisions for use of certain regulatory fees; amending s. 367.156, F.S.; providing powers of the office to have access to records; specifying limitations on the authority of the commission to access records; providing for the office to maintain confidentiality; amending s. 367.171, F.S.; revising provisions for jurisdiction of certain cases involving a utility that becomes subject to county regulation; amending s. 368.05, F.S., relating to gas transmission and distribution facilities; prohibiting the commission from initiating proceedings under specified provisions on its own motion; specifying limitations on the authority of the commission to access records; amending s. 368.061, F.S.; revising provisions for compromise of a civil penalty; revising the authority of the commission to initiate injunction proceedings; amending s. 368.103, F.S.; defining the term "office" as used in the "Natural Gas Transmission Pipeline Intrastate Regulatory Act"; amending ss. 368.106 and 368.107, F.S.; revising the authority of the commission to initiate certain proceedings or take certain actions concerning rates; amending s. 368.108, F.S.; providing powers of the office to have access to records; specifying limitations on the authority of the commission to access records; providing for the office to maintain confidentiality; amending s. 368.1085, F.S.; authorizing the office to assess a natural gas transmission company for certain travel costs; removing the authority of the commission to assess such costs; amending s. 368.109, F.S.; revising provisions for use of certain regulatory fees; amending ss. 403.519, 403.537, and 403.9422, F.S., relating to siting of electrical transmission lines; revising authority of the commission to initiate certain proceedings or take certain actions upon its own motion; amending ss. 196.012, 199.183, 212.08, 288.0655, 290.007, 364.602, 489.103, and 624.105, F.S.; conforming cross-references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

## First Reading of Council and Committee Substitutes by Publication

By the Health Care Regulation Policy Committee; Representatives Coley, Jenne, Llorente, Nehr, Planas, Precourt, Rader, Soto, and Zapata—

**CS/HB 107**—A bill to be entitled An act relating to autism; creating s. 381.986, F.S.; requiring that a physician refer a minor to an appropriate specialist for screening for autism spectrum disorder under certain circumstances; defining the term "appropriate specialist"; amending ss. 627.6686 and 641.31098, F.S.; defining the terms "developmental disability" and "direct patient access"; providing health insurance coverage for individuals with certain developmental disabilities; requiring certain insurers and health maintenance organizations to provide direct patient access to an appropriate specialist for screening, evaluation, or diagnosis for autism spectrum disorder or other developmental disabilities; requiring the insurer's policy or the health maintenance organization's contract to provide for a minimum number of visits per year for the screening, evaluation, or diagnosis for autism spectrum disorder or other developmental disabilities; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance, Business & Financial Affairs Policy Committee; Representatives Legg and Nehr—

**CS/HB 159**—A bill to be entitled An act relating to guaranty associations; amending s. 631.52, F.S.; expanding an exemption from the applicability of certain provisions of state law to include workers' compensation claims under employer liability coverage; amending s. 631.54, F.S.; conforming the definition of "account" to changes made by the act; amending s. 631.55, F.S.; revising the separate accounts of the association; amending s. 631.57, F.S.; conforming cross-references; providing a legislative finding and declaration; authorizing insurers to recoup certain assessments levied by the Office of Insurance Regulation by applying certain recoupment factors; deleting provisions relating to classification and payment of emergency assessments; providing guidelines and a methodology for the calculation of recoupment factors for recouping certain assessments; authorizing an insurer to apply a recalculated recoupment factor under certain conditions; providing for the return of excess assessments and recoupment charges; providing that amounts recouped are not premium and not subject to premium taxes, fees, or commissions; requiring that insurers treat failure to pay a recoupment charge as failure to pay the premium; requiring that an insurer file with the office a statement containing certain information within a specified period before applying a recoupment factor to any policies; authorizing an insurer to use a recoupment factor after the expiration of such period; providing that an insurer need submit only one such statement for all lines of business; requiring that an insurer file with the office an accounting report containing certain information within a specified period after the completion of the recoupment process; providing that an insurer need submit only one such report for all lines of business; amending s. 631.713, F.S.; expanding the application of certain provisions of state law to certain residents of other states who own certain insurance policies; expanding the list of contracts and policies to which life and health insurance guaranty of payments provisions do not apply; providing for application to coverage under certain structured settlement annuities under certain circumstances; amending s. 631.714, F.S.; revising certain definitions; amending s. 631.717, F.S.; revising a guaranty association's aggregate liability for life insurance and deferred annuity contracts; authorizing an association to issue alternative policies or contracts to certain policies or contracts under certain circumstances; subjecting such alternative policies or contracts to specified requirements; creating s. 631.7295, F.S.; authorizing an association to succeed to the rights of an insolvent insurer arising after an order of liquidation or rehabilitation with regard to certain contracts of reinsurance; requiring that such an association pay all unpaid premiums due under the contract; amending s. 631.735, F.S.; specifying that certain advertisement prohibitions do not prohibit certain



activities of a licensed insurance agent; amending s. 631.904, F.S.; revising the definition of the term "covered claim"; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Government Operations Appropriations Committee; and Insurance, Business & Financial Affairs Policy Committee; Representatives Hudson, Ambler, Nehr, and Workman—

**CS/CS/HB 303**—A bill to be entitled An act relating to regulation of real estate appraisers and appraisal management companies; amending s. 475.611, F.S.; providing definitions; amending s. 475.614, F.S.; requiring the Florida Real Estate Appraisal Board to adopt certain rules; amending s. 475.6147, F.S.; requiring application, registration, and renewal fees for appraisal management companies; creating s. 475.6235, F.S.; requiring appraisal management companies to register with the Department of Business and Professional Regulation; specifying application requirements and procedures; requiring the fingerprinting and criminal history records checks of, and providing qualifications for, certain persons who control appraisal management companies; requiring nonresident appraisal management companies to consent to commencement of actions in this state; requiring the department to adopt rules relating to the renewal of registrations; amending s. 475.624, F.S.; conforming provisions to changes made by the act; creating s. 475.6245, F.S.; providing for the discipline of appraisal management companies by the board; amending s. 475.626, F.S.; providing penalties; conforming provisions to changes made by the act; amending s. 475.629, F.S.; revising requirements for the retention of appraisal records; requiring appraisal management companies to follow such requirements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance, Business & Financial Affairs Policy Committee; Representative Hudson—

**CS/HB 311**—A bill to be entitled An act relating to debt relief services; providing a directive to the Division of Statutory Revision; creating s. 559.101, F.S.; providing a short title; transferring, renumbering, and amending s. 817.801, F.S.; revising definitions relating to debt relief services; creating s. 559.103, F.S.; providing the powers of the Office of Financial Regulation; creating s. 559.104, F.S.; authorizing the Financial Services Commission to adopt rules; transferring, renumbering, and amending s. 817.803, F.S.; revising provisions relating to who is not subject to the Debt Relief Services Act; providing an exception for attorneys representing clients; creating s. 559.106, F.S.; requiring debt relief organizations to be registered with the office; providing a registration fee; requiring background screening of applicants and control persons; providing grounds for registration issuance or denial; requiring annual renewal; creating s. 559.107, F.S.; requiring registration renewal; transferring, renumbering, and amending s. 817.804, F.S.; requiring a debt relief organization to obtain a surety bond and to provide proof of such bond to the office; creating s. 559.109, F.S.; requiring a debt relief organization to maintain records; creating s. 559.111, F.S.; requiring a debt relief organization to prepare a financial analysis for the debtor; providing for service contracts; requiring certain provisions to be included in such contracts; requiring the debt relief organization to provide the debtor with copies of all signed documents; transferring, renumbering, and amending s. 817.805, F.S.; conforming terms to changes made by the act; transferring, renumbering, and amending s. 817.802, F.S.; prohibiting a debt relief organization from engaging in certain additional specified acts; deleting a provision that allows the organization to collect a fee for insufficient fund transactions; creating s. 559.114, F.S.; providing for debtor complaints to the office; providing procedures and office duties, including administrative penalties; creating s. 559.115, F.S.; providing for the issuance of subpoenas by the office; creating s. 559.116, F.S.; authorizing the office to issue cease and desist orders; transferring, renumbering, and amending s. 817.806, F.S.; conforming terms to changes made by the act; providing administrative penalties; specifying violations that result in criminal penalties; repealing ss. 559.10, 559.11, 559.12, and 559.13, F.S., relating to

obsolete provisions concerning budget planning; amending s. 516.07, F.S.; conforming a cross-reference; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Governmental Affairs Policy Committee; Representatives Hays, Anderson, Carroll, Fetterman, Hooper, Mayfield, McKeel, Tobia, Van Zant, and Zapata—

**CS/HB 417**—A bill to be entitled An act relating to collective bargaining; amending s. 447.203, F.S.; redefining the term "legislative body" for purposes of collective bargaining impasses with respect to the employees of certain county constitutional officers; requiring the board of county commissioners to provide supplemental funds to such county constitutional officers under certain circumstances; providing that the resolution of certain impasses is binding on all parties; specifying the parties required to approve certain collective bargaining agreements; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance, Business & Financial Affairs Policy Committee; Representatives Proctor, Adams, Adkins, Aubuchon, Burgin, Coley, Drake, Eisnagle, Evers, Ford, Fresen, Gibson, Hays, Homan, Hooper, Horner, Jones, Kreegel, Mayfield, McBurney, McKeel, Murzin, Nehr, O'Toole, Plakon, Precourt, Ray, Renuart, K. Roberson, Stargel, Taylor, Tobia, Van Zant, Weatherford, Weinstein, Wood, and Workman—

**CS/HB 447**—A bill to be entitled An act relating to property insurance; amending s. 215.555, F.S.; extending a repeal date for an exemption of medical malpractice insurance premiums from emergency assessments; amending s. 624.407, F.S.; specifying an additional surplus requirement for certain domestic insurers; amending s. 624.408, F.S.; specifying an additional surplus requirement for certain domestic insurers; deleting obsolete surplus requirement provisions; amending s. 627.0613, F.S.; revising annual reporting requirements for the consumer advocate; providing a definition; amending s. 627.062, F.S.; prohibiting the Office of Insurance Regulation from interfering with certain insurer rights; revising provisions relating to separate filings limited to adjustments of rates for reinsurance or financing costs; authorizing certain insurers to use a rate different from otherwise applicable filed rates; prohibiting the consideration of certain policies when making a specified calculation; preserving the authority of the Office of Insurance Regulation to disapprove rates as inadequate or disapprove a rate filing for using certain rating factors; authorizing the office to direct an insurer to make a specified type of rate filing under certain circumstances; providing construction relating to certifications; amending s. 627.0621, F.S.; revising provisions relating to transparency in rate regulation; amending s. 627.0629, F.S.; revising legislative intent relating to residential property insurance rate filings; deleting a requirement that the office develop and make available a method for insurers to establish discounts, credits, or rate differentials for certain hurricane mitigation measures; revising restrictions relating to including the cost of reinsurance for certain purposes; requiring the office to contract with a private entity to develop a comprehensive consumer information program; specifying program criteria; requiring the office to conduct a cost benefit analysis on a program implementation plan; requiring review and approval by the Financial Services Commission; amending s. 627.351, F.S.; providing requirements for attachment and payment of the Citizens policyholder surcharge; prohibiting the corporation from levying certain regular assessments until after levying the full amount of a Citizens policyholder surcharge; requiring the corporation's plan of operation to require agents to obtain an acknowledgement of potential surcharge and assessment liability from applicants and policyholders; requiring the corporation to permanently retain a copy of such acknowledgments; specifying that the acknowledgement creates a conclusive presumption of understanding and acceptance by the policyholder; deleting an obsolete legislative intent provision; amending s. 627.4133, F.S.; authorizing an insurer to cancel or nonrenew property insurance policies under certain circumstances; specifying duties of the office; creating s. 627.41341, F.S.; specifying requirements for a notice of change in policy terms; providing

definitions; authorizing policy renewals to contain a change in policy terms; specifying notice requirements; providing procedural requirements; providing intent; amending s. 627.7011, F.S.; specifying criteria for payment of dwelling and personal property replacement costs; creating s. 627.7031, F.S.; authorizing certain insurers to offer or renew policies at rates established under certain circumstances; prohibiting certain insurers from purchasing TICL option coverage from the Florida Hurricane Catastrophe Fund under certain circumstances; requiring that certain policies contain a specified rate notice; requiring insurers to offer applicants or insureds an estimate of the premium for a policy from Citizens Property Insurance Corporation reflecting similar coverage, limits, and deductibles; requiring applicants or insureds to provide a signed premium comparison acknowledgement; specifying criteria for insurer compliance with certain requirements; specifying acknowledgement contents; requiring insurers and agents to retain a copy of the acknowledgement for a specified time; specifying a presumption created by a signed acknowledgement; specifying types of residential property insurance policies that are not eligible for certain rates or subject to other requirements; requiring written notice of certain nonrenewals; preserving insurer authority to cancel policies; specifying a criterion for what constitutes an offer to renew a policy; amending s. 627.707, F.S.; revising standards for investigation of sinkhole claims by insurers; specifying requirements for contracts for repairs to prevent additional damage to buildings or structures; amending s. 627.7073, F.S.; revising requirements for sinkhole reports; amending s. 627.7074, F.S.; revising requirements and procedures for an alternative procedure for resolution of disputed sinkhole insurance claims; providing a definition; providing criteria and procedures for disqualification of neutral evaluators; providing requirements and procedures for neutral evaluators to enlist assistance from other professionals under certain circumstances; amending s. 631.021, F.S.; specifying additional venue criteria for the Circuit Court of Leon County; specifying a required notice for insurance policies issued or renewed in this state; providing notice requirements; repealing s. 627.7065, F.S., relating to database of information relating to sinkholes, the Department of Financial Services, and the Department of Environmental Protection; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the General Government Policy Council; and Natural Resources Appropriations Committee; Representatives T. Williams, Poppell, Ford, Ray, and Rehwinkel Vasilinda—

**CS/CS/HB 709**—A bill to be entitled An act relating to wildlife regulation; amending s. 379.231, F.S.; revising provisions relating to the sale, use, or release of nonnative animals; amending s. 379.372, F.S.; prohibiting any person from keeping, possessing, importing, selling, bartering, trading, or breeding certain specified reptile species, including reptiles designated as conditional or prohibited species by the Fish and Wildlife Conservation Commission; providing certain exceptions applicable to reptiles for which the owner holds a permit or license issued before or after specified dates; providing an exemption for specified exhibitors and zoological facilities; amending s. 379.374, F.S.; providing bonding requirements for the possession of certain wildlife; amending s. 379.3761, F.S.; revising provisions relating to the exhibition and sale of wildlife; prohibiting the sale of specified wild animal life in the state unless authorized by the commission; clarifying provisions relating to exhibition licensing; amending s. 379.401, F.S.; deleting a reference to conform to changes made by the act; amending s. 379.4015, F.S.; revising captive wildlife penalties to include wild animal life designated as conditional and prohibited species; providing civil penalties for violations relating to import, capture, possession, sale, use, exhibition, transport, or release of wildlife, including venomous reptiles, reptiles of concern, conditional reptiles, prohibited reptiles, and wild animal life designated as conditional and prohibited species; providing limitations; providing for penalty mitigation under certain conditions; requiring proceeds to be deposited into the State Game Trust Fund and used for specified purposes; requiring the commission to submit a specified annual report to the Legislature; directing the commission to evaluate the addition of species to the list of reptiles of concern; amending ss. 379.101, 379.244, 379.26, 379.304,

379.361, 379.363, and 379.3762, F.S.; conforming terminology; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development Policy Committee; Representative Kregel—

**CS/HB 773**—A bill to be entitled An act relating to expedited permitting; amending s. 403.973, F.S.; transferring certain authority over the expedited permitting and comprehensive plan amendment process from the Office of Tourism, Trade, and Economic Development to the Secretary of Environmental Protection; revising job-creation criteria for businesses to qualify to submit permit applications and local comprehensive plan amendments for expedited review; providing that permit applications and local comprehensive plan amendments for specified renewable energy projects are eligible for the expedited permitting process; providing for the establishment of regional permit action teams through the execution of memoranda of agreement developed by permit applicants and the secretary; revising provisions relating to the memoranda of agreement developed by the secretary; providing for the appeal of local government comprehensive plan approvals for projects and requiring such appeals to be consolidated with challenges to state agency actions; requiring recommended orders relating to challenges to state agency actions pursuant to summary hearing provisions to include certain information; extending the deadline for issuance of final orders relating to such challenges; providing for challenges to state agency action related to expedited permitting for specified renewable energy projects; revising provisions relating to the review of sites proposed for the location of facilities eligible for the Innovation Incentive Program; revising criteria for counties eligible to receive technical assistance in preparing permit applications and local comprehensive plan amendments; specifying expedited review eligibility for certain electrical power projects; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance, Business & Financial Affairs Policy Committee; Representatives Ambler and Weatherford—

**CS/HB 853**—A bill to be entitled An act relating to title insurance; creating part I of ch. 637, F.S.; providing for administration of title insurance and general provisions; providing a short title; providing legislative findings, purposes, and intent; providing definitions; preempting to the state the regulation of title insurance, title insurers, and title insurance agencies; providing for nonapplication of certain chapters; duplicating in ch. 637, F.S., certain provisions of chs. 624, 625, 626, and 628, F.S., relating to insurance and making such provisions applicable to title insurance, title insurers, title insurance agents, and title insurance agencies; creating s. 637.10335, F.S.; providing for civil remedies against title insurers; providing procedures, requirements, and limitations; providing for award of damages, court costs, and attorney fees; prohibiting punitive damages under certain circumstances; providing construction prohibitions; preserving certain remedies and causes of action; creating s. 637.10435, F.S.; providing a Policyholders Bill of Rights; specifying principles; providing a construction prohibition; creating s. 637.10445, F.S.; providing procedures, requirements, and limitations for documents claimed as trade secrets; creating part II of ch. 637, F.S.; providing for licensing and administration of title insurers; duplicating in ch. 637, F.S., and making applicable to title insurers certain provisions of ch. 624, F.S.; transferring to ch. 637, F.S., certain provisions of chs. 625 and 627, F.S., relating to title insurance; creating s. 637.20035, F.S.; providing for structure of title insurers; transferring, renumbering, and amending s. 627.7865, F.S.; specifying requirements, procedures, and limitation for assessments against title insurers in liquidation; creating s. 637.2091, F.S.; specifying that title insurance business is exclusive; creating part III of ch. 637, F.S.; providing for licensure and administration of title insurance agents and agencies; duplicating in ch. 637, F.S., and making applicable to title insurance agents and agencies certain provisions of ch. 626, F.S.; transferring to ch. 637, F.S., certain provisions of ch. 626, F.S., relating to title insurance agents and

agencies; creating s. 637.30125, F.S.; providing requirements for agents in charge; providing for authority, duties, and responsibilities of agents in charge; transferring regulation, administration, and enforcement of title insurers and authority to establish title insurance premium rates and forms from the Office of Insurance Regulation and the Financial Services Commission to the Department of Financial Services; deleting references to the office and commission to conform; amending ss. 624.5105 and 624.5107, F.S.; including references to applicable sections of ch. 637, F.S., under the community contribution tax credit program and the child care tax credit program; specifying rules of the Financial Services Commission and the Office of Insurance Regulation as rules of the department; transferring certain powers, duties, functions, records, personnel, property, and unexpended balances of appropriations, allocations, and other funds relating to title insurance to the department; preserving the validity of certain judicial and administrative actions relating to title insurance; providing for transfer of certain orders relating to title insurance to the department; requiring the Division of Statutory Revision to assist substantive legislative committees in developing conforming legislation; creating s. 689.263, F.S.; prohibiting title insurance agents or title insurance agencies from disbursing certain funds under certain circumstances; providing requirements for a statement of settlement costs; creating s. 717.1121, F.S.; providing construction of certain payments from escrow related to real estate transactions; amending s. 877.101, F.S.; providing an additional prohibition against transacting escrow business by unauthorized persons; revising cross-references for purposes of nonapplication to licensed title insurance agents; amending ss. 624.5015, 626.241, and 626.331, F.S.; deleting provisions relating to title insurers; amending ss. 197.502, 624.501, 624.604, 624.605, 625.031, 626.207, 655.005, 701.041, and 721.05, F.S.; conforming a cross-reference; repealing s. 624.608, F.S., relating to the definition of "title insurance"; repealing s. 626.841, F.S., relating to definitions of "title insurance agent" and "title insurance agency"; repealing s. 626.8411, F.S., relating to application of Florida Insurance Code provisions to title insurance agents or agencies; repealing s. 626.9531, F.S., relating to identification of insurers, agents, and insurance contracts; repealing s. 627.7711, F.S., relating to definitions; repealing s. 627.776, F.S., relating to applicability or inapplicability of Florida Insurance Code provisions to title insurers; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Economic Development Policy Committee; Representatives Ray, Adkins, Ambler, Carroll, Dorworth, Fresen, McBurney, Reagan, Wood, and Zapata—

**CS/HB 963**—A bill to be entitled An act relating to seaports; creating s. 373.4133, F.S.; providing legislative findings; providing for port conceptual permits; providing which ports may apply for a port conceptual permit; authorizing a private entity that has adjacent property to apply for a permit; specifying the length of time for which permit may be issued; providing that a permit is a conceptual certification of compliance with state water quality standards and a conceptual determination of consistency with the state coastal zone management program; providing for permit applications and application requirements; requiring the Department of Environmental Protection to effect a certain balance between the benefits of the facility and the environment; providing that a permit provides certain assurances with respect to construction permits if certain requirements are met; providing for advance mitigation; providing that approval of certain submerged lands authorization by the Board of Trustees of the Internal Improvement Trust Fund constitutes the delegation of authority to the department for final agency action; providing an exception; providing procedures for the approval or denial of an application; providing for administrative challenges; authorizing the department and the board to issue certain permits and authorizations before certain actions are taken under the Endangered Species Act; authorizing certain alternative stormwater treatment and design criteria; providing requirements for proposing such criteria; authorizing the department and the board to adopt rules; providing for implementation; amending s. 311.09, F.S.; requiring the Department of Transportation to include certain projects' funding allocations in its legislative budget request and to submit

specified work program amendments within a certain timeframe; amending s. 403.061, F.S.; removing the requirement to enter into a memorandum of agreement with the Florida Ports Council from the authority granted to the Department of Environmental Protection to provide supplemental permitting processes for the issuance of certain permits; amending s. 403.813, F.S.; revising requirements relating to maintenance dredging at seaports; expanding the parameters for mixing zones and return-water discharges; prohibiting mixing zones from entering wetland communities; increasing the time allowance for maintenance dredging following a storm event; amending ss. 161.055 and 253.002, F.S.; conforming provisions to changes made by the act; authorizing seaports to enter into public-private agreements for port-related public infrastructure projects; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance, Business & Financial Affairs Policy Committee; Representative Long—

**CS/HB 1181**—A bill to be entitled An act relating to public adjusters; amending s. 626.854, F.S.; limiting compensation on certain claims; revising limitations on certain compensation, payments commissions, or fees; specifying statements that may be considered deceptive or misleading if made in any public adjuster's advertisement or solicitation; defining the term "written advertisement"; requiring a disclaimer to be included in any public adjuster's written advertisement; providing requirements for such disclaimer; requiring advance notice to certain parties before scheduling certain meetings; authorizing waiver of such notice; requiring a public adjuster to make a reasonable and necessary effort to ensure prompt notice of certain property loss claims; providing that an insurer be allowed a reasonable opportunity to obtain information and respond to the claim; prohibiting a public adjuster from obstructing or preventing certain persons from communicating with the insured; prohibiting a licensed contractor or subcontractor from adjusting a claim on behalf of an insured if such contractor or subcontractor is not a licensed public adjuster; providing an exception; amending s. 626.8651, F.S.; requiring a public adjuster apprentice to complete a minimum number of hours of continuing education to qualify for licensure; amending s. 626.8796, F.S.; specifying information requirements for public adjuster contracts; creating s. 626.70132, F.S.; requiring notices of a claim, supplemental claim, or reopened claim to be given to the insurer within a specified period after a windstorm or hurricane occurs; providing a definition for the term "supplemental claim" or "reopened claim"; providing applicability; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Finance & Tax Council; and Economic Development Policy Committee; Representatives Patronis, Abruzzo, Dorworth, Ford, Fresen, Murzin, Planas, and Tobia—

**CS/CS/HB 1241**—A bill to be entitled An act relating to the tax on sales, use, and other transactions; amending s. 125.0104, F.S.; providing definitions relating to the tourist development tax; providing separate statement of tax requirements; providing an exception; providing construction; amending s. 125.0108, F.S.; providing definitions relating to the tourist impact tax; providing separate statement of tax requirements; providing an exception; providing construction; amending s. 212.03, F.S.; providing definitions relating to the transient rentals tax; revising requirements for charging, collecting, and remitting the tax; providing requirements for separate statement of the tax on rental documents; amending s. 212.0305, F.S.; providing definitions relating to the convention development tax; revising requirements for charging, collecting, and remitting the tax; providing requirements for separate statement of the tax on rental documents; amending s. 213.30, F.S.; authorizing the Department of Revenue to compensate county governments for providing certain information to the department; specifying a payment amount; amending ss. 1 and 3, ch. 67-930, Laws of Florida, as amended; providing definitions relating to a municipal resort tax; providing separate statement of tax requirements; providing an exception; providing construction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Transportation & Economic Development Appropriations Committee; and Roads, Bridges & Ports Policy Committee; Representative Horner—

**CS/CS/HB 1271**—A bill to be entitled An act relating to transportation; amending s. 20.23, F.S.; authorizing the Department of Transportation to grant a specified pay additive to law enforcement officers assigned to the Office of Motor Carrier Compliance who maintain certification by the Commercial Vehicle Safety Alliance; repealing s. 315.03(12)(c), F.S., relating to legislative review of a loan program of the Florida Seaport Transportation and Economic Development Council; amending s. 316.2122, F.S.; revising provisions authorizing operation of low-speed vehicles and mini trucks; amending s. 316.545, F.S.; providing for a reduction in the gross weight of certain vehicles equipped with idle-reduction technologies when calculating a penalty for exceeding maximum weight limits; requiring the operator to provide certification of the weight of the idle-reduction technology and to demonstrate or certify that the idle-reduction technology is fully functional at all times; amending s. 316.550, F.S.; authorizing the department or local authority to issue permits for certain vehicles to operate on certain routes; providing restrictions on routes; providing conditions when vehicles must be unloaded; conforming a cross-reference; amending s. 318.18, F.S.; revising provisions for distribution of proceeds collected by the clerk of the court for disposition of citations for failure to pay a toll; providing alternative procedures for disposition of such citation; providing for adjudication to be withheld and no points assessed against the driver's license unless adjudication is imposed by a court; removing a provision for suspension of the driver's license of a person who is convicted of failing to pay a toll 10 or more times within a 36-month period; amending s. 320.08, F.S.; providing that specified license tax provisions apply to wreckers used for certain purposes; amending s. 320.08058, F.S.; revising authorized uses of revenue received from the sale of United We Stand license plates; amending s. 322.27, F.S.; providing for assessment of points against a driver's license for specified violations of requirements to pay a toll only when the points are imposed by a court; repealing s. 332.14, F.S., relating to the Secure Airports for Florida's Economy Council; providing for the use of funds accrued by the Secure Airports for Florida's Economy Council; amending s. 334.03, F.S.; revising definitions for purposes of the Florida Transportation Code; amending s. 334.044, F.S.; revising powers and duties of the department; removing provisions for assigning jurisdiction of roads and designating facilities as part of the State Highway System; amending s. 334.047, F.S.; removing a prohibition against the department establishing a maximum number of miles of certain roads within a district or county; amending s. 337.14, F.S.; revising application procedures for the qualification of contractors; requiring any required interim financial statement to be accompanied by an updated application; amending s. 337.401, F.S.; revising provisions for rules of the department that provide for the placement of and access to certain electrical transmission lines on the right-of-way of department-controlled roads; authorizing the rules to include that the use of the limited access right-of-way for longitudinal placement of such transmission lines is reasonable based upon consideration of certain economic and environmental factors; amending s. 337.406, F.S.; prohibiting camping on certain parts of the right-of-way of the State Highway System; amending s. 338.155, F.S.; authorizing the department to adopt rules relating to the payment, collection, and enforcement of tolls; amending ss. 341.051 and 341.3025, F.S.; requiring the use of universal common contactless fare media on new or upgraded public rail transit systems; amending s. 343.64, F.S.; authorizing the Central Florida Regional Transportation Authority to borrow funds under certain circumstances; amending s. 348.51, F.S.; revising the definition for the term "bonds" when used in the Tampa-Hillsborough County Expressway Authority Law; amending s. 348.545, F.S.; authorizing costs of authority improvements to be financed by bonds issued on behalf of the authority pursuant to the State Bond Act or bonds issued by the authority under specified provisions; amending s. 348.56, F.S.; authorizing bonds to be issued on behalf of the authority pursuant to the State Bond Act or issued by the authority under specified provisions; revising requirements for such bonds;

requiring the bonds to be sold at public sale; authorizing the authority to negotiate the sale of bonds with underwriters under certain circumstances; amending s. 348.565, F.S.; providing that facilities of the expressway system are approved to be refinanced by the revenue bonds issued by the Division of Bond Finance of the State Board of Administration and the State Bond Act or by revenue bonds issued by the authority; providing that certain projects of the authority are approved for financing or refinancing by revenue bonds; amending s. 348.57, F.S.; authorizing the authority to provide for the issuance of certain bonds for the refunding of bonds outstanding regardless of whether the bonds being refunded were issued by the authority or on behalf of the authority; amending s. 348.70, F.S.; providing that the Tampa-Hillsborough County Expressway Authority Law does not repeal, rescind, or modify any other laws; providing that such law supersedes laws that are inconsistent with the provisions of that law; creating pt. XI of ch. 348, F.S., titled "Osceola County Expressway Authority"; providing a short title; providing definitions; creating the Osceola County Expressway Authority as an agency of the state; providing for a governing body of the authority; providing for membership, terms, organization, personnel, and administration; authorizing payment of travel and other expenses; directing the authority to cooperate with and participate in any efforts to establish a regional expressway authority; providing purposes and powers of the authority for acquisition, construction, expansion, maintenance, improvement, operation, ownership, and leasing of the Osceola County Expressway System; providing for use of certain funds to pay or secure obligations; authorizing use of the Osceola County gasoline tax under certain conditions; authorizing the authority to enter into partnerships and other agreements; authorizing the authority to construct, operate, and maintain roads, bridges, avenues of access, thoroughfares, and boulevards, and electronic toll payment systems thereon, outside the jurisdictional boundaries of Osceola County; authorizing the authority to enter into an interlocal agreement with the Orlando-Orange County Expressway Authority to coordinate and plan for projects; prohibiting the authority from pledging the credit or taxing power of the state; requiring consent of local and county jurisdictions prior to acquisition of rights-of-way; requiring consent of local and county jurisdictions for agreements that would restrict construction of roads; providing for bond financing of improvements to certain facilities; providing for issuance and sale of bonds; providing for the employment of fiscal agents; authorizing the State Board of Administration to act as fiscal agent; providing approval of certain facilities that have been financed by the issuance of bonds or other evidence of indebtedness; providing for rights and remedies granted to bondholders; providing for appointment of a trustee to represent the bondholders; providing for appointment of a receiver to take possession of, operate, and maintain the system; providing for lease of the system to the department under a lease-purchase agreement; authorizing the department to act in place of the authority under terms of the lease-purchase agreement; requiring approval by the county for certain provisions of the lease-purchase agreement; providing that upon termination of such lease-purchase agreement title to the system shall be transferred to the state; providing that no pledge of Osceola County gasoline tax funds as rentals under such lease-purchase agreement shall be made without the consent of Osceola County; authorizing the department to expend a limited amount of funds; providing that the system is part of the state road system; providing for the authority to appoint the department as its agent for certain construction purposes; authorizing the authority to acquire property; authorizing the authority to exercise eminent domain; limiting liability of the authority for preexisting contamination of an acquired property; providing for remedial acts necessary due to such contamination; authorizing agreements between the authority and other entities; providing pledge of the state to bondholders; exempting the authority from taxation; providing that investment in such bonds or other obligations constitutes legal investments; providing that such bonds are eligible for deposit as security for state, municipal, and other public funds; providing that pledges shall be enforceable by bondholders; providing for application and construction of the part; authorizing certain audits of the authority by the Osceola County auditor; requiring reports of such audits to be submitted to the authority and the governing body of Osceola County; providing for dissolution of the authority under certain circumstances; amending s. 373.41492, F.S.; increasing the

mitigation fee for mining activities in the Miami-Dade County Lake Belt; suspending an annual increase in the mitigation fee; revising the frequency of an interagency committee report; amending s. 403.4131, F.S.; removing provisions relating to a report on the adopt-a-highway program; amending s. 479.01, F.S.; defining the terms "allowable uses," "commercial use," "industrial use," and "zoning category" and revising the definition of the term "commercial or industrial zone" for purposes of provisions relating to outdoor advertising; conforming cross-references; designating pts. I and II of ch. 479, F.S., entitled "General Provisions" and "Special Programs," respectively; creating pt. III of ch. 479, F.S., entitled "Sign Removal"; creating s. 479.310, F.S.; providing intent relating to unpermitted and illegal signs; placing financial responsibility for the removal of such signs; providing the department authority to recover costs of removal of such signs; creating s. 479.311, F.S., providing jurisdiction to consider claims to recover costs; defining the term "venue" for the purposes of a claim filed by the department; creating s. 479.312, F.S.; providing that costs incurred by the department in removing certain signs shall be assessed against certain individuals; providing presumption of a ownership; creating s. 479.313, F.S.; providing for the assessment of the cost of removal for signs following the revocation of a sign permit; creating s. 479.315, F.S.; providing for the assessment of the cost of removal of signs located within a highway right-of-way; amending s. 705.18, F.S.; removing provisions for disposal of personal property lost or abandoned at certain public-use airports; creating s. 705.182, F.S.; providing for disposal of personal property found on premises owned or controlled by the operator of a public-use airport; providing a timeframe for the property to be claimed; providing options for disposing of such personal property; providing procedures for selling abandoned personal property; providing for notice of sale; providing that the rightful owner of such property may reclaim the property at any time prior to sale; permitting airport tenants to establish lost and found procedures; providing that purchaser holds title to the property free of the rights of persons then holding any legal or equitable interest thereto; creating s. 705.183, F.S.; providing for disposition of derelict or abandoned aircraft on the premises of public-use airports; providing procedures for such disposition; requiring a record of when the aircraft is found; defining the terms "derelict aircraft" and "abandoned aircraft"; providing for notification of aircraft owner and all persons having an equitable or legal interest in the aircraft; providing for notice if the owner of the aircraft is unknown or cannot be found; providing for disposition if the aircraft is not removed upon payment of required fees; requiring any sale of the aircraft to be at a public auction; providing notice requirements for such public auction; providing procedures for disposal of the aircraft; providing for liability if charges and costs related to the disposition are more than that obtained from the sale; providing for a lien by the airport for fees and charges; providing for notice of lien; requiring recording of a claim of lien; providing for the form of the claim of lien; providing for service of the claim of lien; providing that the purchaser of the aircraft takes the property free of rights of persons holding legal or equitable interest in the aircraft; requiring purchaser or recipient to notify the Federal Aviation Administration of change in ownership; providing for disposition of moneys received for an aircraft sold at public sale; authorizing the airport to issue documents relating to the aircraft's disposal; creating s. 705.184, F.S.; providing for disposition of derelict or abandoned motor vehicles on the premises of public-use airports; providing procedures; requiring recording of the abandoned motor vehicle; defining the terms "derelict motor vehicle" and "abandoned motor vehicle"; providing for removal of such motor vehicle from airport premises; providing for notice to the owner, the company insuring the motor vehicle, and any lienholder; providing for disposition if the motor vehicle is not removed upon payment of required fees; requiring any sale of the motor vehicle to be at a public auction; providing notice requirements for such public auction; providing procedures for disposal of the motor vehicle; providing for a lien by the airport or a licensed independent wrecker for fees and charges; providing for notice of lien; requiring recording of a claim of lien; providing for the form of the claim of lien; providing for service of claim of lien; providing that the purchaser of the motor vehicle takes the property free of the rights of persons holding legal or equitable interest in the motor vehicle; amending ss. 163.3180, 288.063, 311.07, 311.09, 316.515, 336.01, 338.222, 341.8225, 479.07, 479.156, and 479.261, F.S.; correcting cross-references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance, Business & Financial Affairs Policy Committee;  
Representative Rivera—

**CS/HB 1277**—A bill to be entitled An act relating to sellers of travel; amending s. 559.935, F.S.; providing that exemptions to pt. XI of ch. 559, F.S., the Florida Sellers of Travel Act, do not apply to sellers of travel offering or selling prearranged travel, tourist-related services, or tour-guide services to any person traveling directly from Florida to a terrorist nation; providing a definition; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance, Business & Financial Affairs Policy Committee;  
Representatives Steinberg, Anderson, and Homan—

**CS/HB 1355**—A bill to be entitled An act relating to automated external defibrillators; amending s. 401.2915, F.S.; requiring certain entities to notify local emergency services medical directors of the locations of automated external defibrillators; requiring local emergency medical services medical directors to maintain registries of certain automated external defibrillator locations; amending s. 768.1326, F.S.; directing the State Surgeon General, with the assistance of the Department of Management Services, to adopt rules to establish guidelines for the appropriate placement and deployment of automated external defibrillators in places of public assembly; providing a definition; providing exceptions; providing for construction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance, Business & Financial Affairs Policy Committee;  
Representative Drake—

**CS/HB 1563**—A bill to be entitled An act relating to commercial insurance rates; amending s. 627.062, F.S.; exempting certain categories or types of insurance and types of commercial lines risks from certain rate requirements; requiring insurers and rating organizations to establish and use rates, rating schedules, and rating manuals to allow insurers a reasonable rate of return on certain commercial insurance and risks; requiring insurers to notify the Office of Insurance Regulation of changes to rates for certain insurance and risks; providing notice requirements; requiring certain information to be maintained by insurers and subject to examination by the office; providing rate factors and standards to be used in such examinations; requiring rating organizations to notify the office of changes to loss costs for certain insurance and risks; providing requirements for such notification; requiring certain information to be maintained by rating organizations and subject to examination by the office; providing rate factors and standards to be used in such examination; authorizing the office to require certain information be provided by insurers at the insurers' expense for certain purposes; amending s. 627.0651, F.S.; excluding certain commercial motor vehicle insurance from certain motor vehicle insurance rate requirements; prohibiting certain commercial motor vehicle insurance from being excessive, inadequate, or unfairly discriminatory; requiring insurers to establish and use rates, rating schedules, and rating manuals to allow insurers a reasonable rate of return on certain commercial motor vehicle insurance; requiring insurers to notify the office of changes to rates for certain types of insurance; providing notice requirements; requiring certain information to be maintained by insurers and subject to examination by the office; providing rate factors and standards to be used in such examinations; requiring rating organizations to notify the office of changes to loss costs for certain types of insurance; providing requirements for such notification; requiring certain information to be maintained by rating organizations and subject to examination by the office; providing rate factors and standards to be used in such examination; authorizing the office to require certain information to be provided by insurers at the insurers' expense for certain purposes; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

## Reference

**CS/HB 163**—Referred to the Finance & Tax Council and General Government Policy Council.

**CS/CS/HB 303**—Referred to the General Government Policy Council.

**CS/CS/HB 355**—Referred to the Health Care Appropriations Committee and Health & Family Services Policy Council.

**CS/HB 357**—Referred to the General Government Policy Council.

**CS/HB 801**—Referred to the Full Appropriations Council on Education & Economic Development and Economic Development & Community Affairs Policy Council.

**CS/HB 1133**—Referred to the Civil Justice & Courts Policy Committee and General Government Policy Council.

**CS/CS/HB 1337**—Referred to the Education Policy Council.

**CS/CS/HB 1569**—Referred to the Education Policy Council.

**CS/HB 7129**—Referred to the Calendar of the House.

## House Resolutions Adopted by Publication

At the request of Rep. Schwartz—

**HR 9037**—A resolution recognizing the month of March 2010 as "Women's History Month."

WHEREAS, women have made historic contributions to the growth and strength of this state in countless recorded and unrecorded ways, and

WHEREAS, women have played and continue to play a critical economic, cultural, and social role in every sphere of life by constituting a significant portion of the labor force working inside and outside the home, and

WHEREAS, women have made unique contributions throughout the history of the nation by playing a significant role in our volunteer labor force and were particularly important in the establishment of early charitable, philanthropic, and cultural institutions, and

WHEREAS, women of every race, class, and ethnic background served as early leaders in the forefront of major progressive movements to improve society, and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the industrial labor movement, the civil rights movement, the environmental justice movement, and other social justice campaigns, especially the peace movement, creating a more fair and just society for all, and

WHEREAS, in recognition of the contributions of women, Congress has passed a resolution each year since 1987 designating the month of March as "Women's History Month," and

WHEREAS, the theme of Women's History Month in 2010 is "Writing Women Back into History" and the month of March presents special opportunities to celebrate the wisdom and tenacity of generations of women who have come before us and those who will follow, and to acknowledge the courage, determination, and steadfastness needed to move history forward, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That March 2010 is recognized as "Women's History Month" and the residents of this state are called upon to observe this and every March by participating in programs, ceremonies, and activities to foster an awareness

of and appreciation for the contributions made by women which have benefited and improved society.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Kriseman—

**HR 9055**—A resolution recognizing Southeastern Guide Dogs for its many years of exemplary selfless service to the State of Florida.

WHEREAS, Southeastern Guide Dogs is a nonprofit organization whose mission is to create and nurture a partnership between a visually impaired individual and a guide dog, facilitating life's journey with mobility, independence, and dignity, and

WHEREAS, since 1982, Southeastern Guide Dogs has partnered more than 830 visually impaired individuals and guide dogs, including more than 344 partnerships in Florida, and anticipates an additional 70 guide dog graduates this fiscal year, and

WHEREAS, Southeastern Guide Dogs is accredited by the International Guide Dog Federation in Reading, England, and is a member of the United States Council of Dog Guide Schools, and

WHEREAS, the Southeastern Guide Dogs Gifted Canines program provides law enforcement agencies, hospitals, assisted living facilities, nursing homes, schools, and individuals with special needs with dogs who excel in narcotic or arson detection, search and rescue, therapy, and other specialized careers, and

WHEREAS, the Southeastern Guide Dogs Paws for Patriots program provides professionally trained guide dogs, in addition to certified instructors who provide 26 days of individualized, residential instruction and a lifetime of followup and support, to visually impaired military veterans, and

WHEREAS, with the assistance of more than 500 volunteers, including 200 active puppy raisers, 100 breeder host families, and 240 onsite volunteers, Southeastern Guide Dogs currently employs more than 70 individuals, including 12 trainers, and

WHEREAS, Southeastern Guide Dogs maintains service areas for first-time students in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, and Texas, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives recognizes Southeastern Guide Dogs for its many years of exemplary selfless service to the State of Florida.

—was read and adopted by publication pursuant to Rule 10.16.

## Reports of Standing Councils and Committees

### Received March 30:

The Health Care Regulation Policy Committee reported the following favorably:

HB 107 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 107 was laid on the table.

The Government Operations Appropriations Committee reported the following favorably:

CS/HB 303 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 303 was laid on the table.

**Received March 31:**

The Health Care Regulation Policy Committee reported the following favorably:  
HB 7

The above bill was transmitted to the next council or committee of reference, the Insurance, Business & Financial Affairs Policy Committee.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:  
HB 159 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 159 was laid on the table.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:  
HB 311 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 311 was laid on the table.

The Governmental Affairs Policy Committee reported the following favorably:  
HB 417 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 417 was laid on the table.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:  
HB 447 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 447 was laid on the table.

The General Government Policy Council reported the following favorably:  
CS/HB 709 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 709 was laid on the table.

The Economic Development Policy Committee reported the following favorably:  
HB 773 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 773 was laid on the table.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:  
HB 853 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 853 was laid on the table.

The Economic Development Policy Committee reported the following favorably:  
HB 963 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 963 was laid on the table.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:  
HB 1181 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1181 was laid on the table.

The Finance & Tax Council reported the following favorably:  
CS/HB 1241 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1241 was laid on the table.

The Transportation & Economic Development Appropriations Committee reported the following favorably:  
CS/HB 1271 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1271 was laid on the table.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:  
HB 1277 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1277 was laid on the table.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:  
HB 1355 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1355 was laid on the table.

The Insurance, Business & Financial Affairs Policy Committee reported the following favorably:  
HB 1563 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 1563 was laid on the table.

**Excused**

Rep. Coley until 1:38 p.m.; Rep. Nehr; Rep. Randolph after 5:30 p.m.

**Adjourned**

Pursuant to the motion previously agreed to, the House adjourned at 7:34 p.m., to reconvene at 10:00 a.m., Thursday, April 1, 2010, or upon call of the Chair.

**Pages and Messengers  
for the week of  
March 29-April 2, 2010**

Pages—Esteban Bovo, Miami; Joel Freeman, Newberry; Michael Galvano, Bradenton; William Galvano, Bradenton; Madyson Mahler, Tallahassee; Alexis Moran, Tarpon Springs; Ben Murzin, Cantonment; Allison Overholt, Tallahassee; Alexander Pittman, Tallahassee; Andrew

Pittman, Tallahassee; Harley Shafer, Avon Park; Bailey Singletary, Hosford; Austin Vance, Temple Terrace; Richard Varn, Madison; Nikolas Villegas, South Miami; Madison Walker, Tallahassee; Adrianna Williams, Tallahassee; Kelly Williams, Palm Harbor; Matthew Zirkle, Muncie, Indiana.

Messengers—John Agnello, Dade City; Andrew Chico, Tallahassee; Logan Daniel, Jacksonville; Zachary Fijman, Tallahassee; Zachary Grayson, Tallahassee; Regan Knotts, Plant City; Daria Leon, Quincy; Evan Leslie, Lake City; Jasmine Plummer, Palm Bay; Kelsey Varn, Madison.



## CHAMBER ACTIONS ON BILLS

Wednesday, March 31, 2010

CS for CS for SB	1238	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	CS/HB	5101	— Read 2nd time
CS for SB	1396	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5201	— Read 2nd time; Amendment 674453 adopted; Amendment 195535 adopted
CS for SB	1436	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5301	— Read 2nd time
CS for SB	1442	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5303	— Read 2nd time
CS for SB	1442	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5305	— Read 2nd time
CS for CS for SB	1484	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5307	— Read 2nd time
CS for SB	1508	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5309	— Read 2nd time
CS for SB	1510	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5311	— Read 2nd time
CS for SB	1514	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	CS/HB	5401	— Read 2nd time; Amendment 197461 adopted; Amendment 963399 adopted; Amendment 011605 adopted
CS for CS for SB	1516	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5403	— Read 2nd time
CS for SB	1592	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5501	— Read 2nd time
CS for SB	1644	— Read 2nd time		CS/HB	5503	— Read 2nd time; Amendment 515957 adopted
CS for SB	1646	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5505	— Read 2nd time
CS for SB	2020	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5601	— Read 2nd time
CS for SB	2024	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5603	— Read 2nd time
CS for SB	2374	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5605	— Read 2nd time
CS for SB	2386	— 03/31/10 S Requests House concur or failing to concur appoint conference	cmte	HB	5607	— Read 2nd time
HB	5001	— Read 2nd time; Amendment 990024 adopted; Amendment 990026 adopted		CS/HB	5611	— Read 2nd time
HB	5003	— Read 2nd time; Amendment 622683 adopted; Amendment 373165 adopted; Amendment 396355 adopted		HB	5701	— Read 2nd time
				HB	5703	— Read 2nd time; Amendment 752153 adopted
				HB	5705	— Read 2nd time
				HB	5707	— Read 2nd time
				HB	5709	— Read 2nd time
				HCR	5711	— Read 2nd time; Adopted
				HB	5713	— Read 2nd time; Amendment 025833 adopted
				CS/HB	5801	— Read 2nd time; Amendment 169555 adopted

# JOURNAL OF THE HOUSE OF REPRESENTATIVES

## DAILY INDICES FOR

March 31, 2010

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